



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

अंक 27]

शिमला, शनिवार, 3 नवम्बर, 1979/12 कार्तिक, 1901

[संख्या 44

विषय-सूची

भाग 1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिनूचनाएं इत्यादि . . .	1284—1292
भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अधीनस्थों और जिला मैजिस्ट्रेटों द्वारा अधिनूचनाएं इत्यादि . . .	1292—1294
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भाग 4	स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग . . .	—
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भाग 6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	1298—1317
भाग 7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
—	अनुसूचक	1318—1325

3 नवम्बर, 1979/12 कार्तिक, 1901 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञापित 'समाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञापित की संख्या	विभाग का नाम	विषय
सं० 11-6/67-गृह (ए०), दिनांक 25 अक्तूबर, 1979 ।	गृह विभाग	हिमाचल प्रदेश सरकार को सम संख्या अधिसूचना दिनांक 23 फरवरी, 1977 द्वारा जिला ऊना के पूर्व परिभाषित क्षेत्र में नवंबर फोर्ड कार्यालय एवं आगटिलरी ग्राम्या को विनिर्दिष्ट समय में शामिल करना ।
संख्या 7-3/73-एफ० एण्ड एम० भाग 23, दिनांक 23 अक्तूबर, 1979.	खाद्य एवं आपूर्ति विभाग Himachal Pradesh State Lotteries Excise and Taxation Department -तथैव-	भारत सरकार पेट्रोलियम, रसायन और उर्वरक मन्त्रालय आदेश संख्या जी०एस०आर दिनांक 11 नवम्बर, 1979 का प्रकाशन । Result of 19th Draw held at Hamirpur on 18-10-1979. Amendment to schedule 'B' appended to the Himachal Pradesh General Sales Tax Act, 1968 (Act No. 24 of 1968). हिमाचल प्रदेश सामान्य विक्री कर अधिनियम, 1968 1968 का अधिनियम संख्यांक 24 के शब्द 'बी' में संशोधन ।
No. EXN 1(2)/74 Pt. dated the 30th August, 1978. नं० ई एकस०एम०एफ० (10)-5/76, दिनांक 29 अक्तूबर, 1979.	कल्याण विभाग	हिमाचल प्रदेश ग्रिड अधिनियम, 1979 (1979 का अधिनियम संख्यांक 21) को 1 नवम्बर, 1979 से प्रवृत्त करना ।
सं० 5-10/71-एल० डब्ल्यू० पी० (वैल), दिनांक 30 अक्तूबर, 1979.	गृह विभाग	भूस्तर की नोटिफाइड एरिया समिति की सीमाओं का व्यापार ।
सं० होम (ए०)-ए०(9) 9/79, दिनांक 29 अक्तूबर, 1979.		

भाग 1—बैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

कामिक (नि-1) विभाग

अधिसूचनाएं

शिमला-२, २ अगस्त, १९७९

संख्या: १-११/७३-का०वि० (नि०-1)।—हिमाचल प्रदेश के राज्यपाल सहर्ष यह आदेश देते हैं कि श्री विनोद लाल, भा० प्र० से० निदेशक लोक प्रशासन संस्थान, हिमाचल प्रदेश के प्रशिक्षण पर प्रस्थान करने की तिथि दिनांक ३०-६-१९७९ से श्री अशोक कुमार महोपाध्याय

निदेशक सतकर्ता, अपने पद के प्रतिरिक्त निदेशक, लोक प्रशासन संस्थान के पद का कार्यभार भी सम्भालेंगे।

शिमला-१७१००२, १५ सितम्बर, १९७९

सं० १-११/७३ का० वि० (नि०-1)।—हिमाचल प्रदेश के राज्यपाल सहर्ष यह आदेश देते हैं कि श्री टी० आर० शर्मा, उप-सचिव (वित्त), हिमाचल प्रदेश सरकार अपने कार्यभार के प्रतिरिक्त निदेशक लादरी का कार्यभार भी सम्भालेंगे।

शिमला-२, २० सितम्बर, १९७९

संख्या कामिक (नि-11) ए(3) 1/74.—इस विभाग की अधिसूचना संख्या 88-45/53 जी० पी (नि-11) (2) दिनांक 18-5-74 तथा 80-9-1975 तथा हिमाचल प्रदेश सरकार द्वारा जारी किए इस सम्बन्ध में अन्य आदेशों का अधिकरण करते हुए, भारतीय संविधान की धारा 309 के परन्तुक एवम् पंजाब सिविल सेवाएं (दण्ड तथा अपील) नियमावली, 1970, के नियम 2 (1), 6, 7 और 16 द्वारा प्रदत्त शक्तियों तथा इस सम्बन्ध में उन में अन्य सभी निहित शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश के राज्यपाल आदेश देते हैं कि जो अधिकारी पंजाब नियमों के अधीन शासित होते हैं, उन की संलग्न अनुसूची के स्तम्भ संख्या 1 में विनिर्दिष्ट श्रेणी प्रथम, द्वितीय, तृतीय तथा चतुर्थ की सेवाओं तथा पदों के इस के स्तम्भ संख्या 2 में विनिर्दिष्ट प्राधिकारी, नियुक्ति प्राधिकारी होंगे तथा स्तम्भ 3 और 5 में विनिर्दिष्ट प्राधिकारी वहां पर विनिर्दिष्ट दण्डों के अनुशासिक प्राधिकारी होंगे। इस के प्रतिरिक्त स्तम्भ 4 तथा 6 में विनिर्दिष्ट प्राधिकारी, स्तम्भ 3 तथा 5 में विनिर्दिष्ट दण्डों के क्रमशः अपील सुनने वाले प्राधिकारी होंगे।

अनुसूची

पदों का विवरण	नियुक्ति प्राधिकारी	पंजाब सिविल सेवाएं (दण्ड तथा अपील) नियमावली, 1970 के नियम 5 की मद संख्या (i) (ii) (iii), (iv) के संदर्भ में 'दण्ड देने हेतु सक्षम प्राधिकारी	पंजाब सिविल सेवाएं (दण्ड तथा अपील) नियमावली 1970 के नियम 5 की मद संख्या (v), (vi), (vii), (viii), (ix) के संदर्भ में दण्ड देने हेतु सक्षम प्राधिकारी	स्तम्भ ३ में बताए गए दण्डों के बारे में अपील सुनने वाला प्राधिकारी	स्तम्भ ५ में बताए गए दण्डों के बारे में अपील सुनने वाला प्राधिकारी
1	2	3	4	5	6
1. विभागाध्यक्ष (अखिल भारतीय सेवाओं के वर्गों के प्रतिरिक्त)।	राज्य सरकार	मुख्य सचिव	राज्य सरकार	राज्य सरकार	—
2. उप-सचिव/धन सचिव/अनुभाग अधिकारी (सचिवालय वर्ग)।					
3. हिमाचल प्रदेश प्रशासनिक सेवा अधिकारी।					
4. हिमाचल प्रदेश पुलिस सेवा अधिकारी	राज्य सरकार	सम्बन्धित विभाग का सचिव	राज्य सरकार	राज्य सरकार	—
5. सभी विभागों के समस्त प्रथम तथा द्वितीय श्रेणी (अखिल भारतीय सेवा अधिकारियों तथा ऊपर निर्दिष्ट मद संख्या १ से ४ पर वर्णित अधिकारियों को छोड़ कर)।					
6. सभी विभागों के समस्त तृतीय तथा चतुर्थ श्रेणी की सेवाएं (जहां सम्बन्धित भर्ती नियमों के अन्तर्गत या अन्यथा विभागाध्यक्ष नियुक्ति प्राधिकारी घोषित किया गया हो)।	विभागाध्यक्ष	कार्यालय अध्यक्ष	विभागाध्यक्ष	विभागाध्यक्ष	राज्य सरकार
7. सभी विभागों के तृतीय तथा चतुर्थ श्रेणी की सेवाएं (जहां नियुक्ति-प्राधिकारी कार्यालय अध्यक्ष हो विभागाध्यक्ष के अधीन कोई अन्य प्राधिकारी जो कि सम्बन्धित भर्ती नियमों के अन्तर्गत या अन्यथा इस प्रकार घोषित हो)।	कार्यालय अध्यक्ष या अन्य प्राधिकारी जो सरकार द्वारा घोषित हो।	विभागाध्यक्ष के अधीन कोई भी प्राधिकारी जो कि सक्षम प्राधिकारी द्वारा नियुक्ति प्राधिकारी घोषित हो।	विभागाध्यक्ष	विभागाध्यक्ष के अधीन कोई भी प्राधिकारी जो कि सक्षम प्राधिकारी द्वारा नियुक्ति प्राधिकारी घोषित हो।	विभागाध्यक्ष

AGRICULTURE DEPARTMENT

NOTIFICATION

शिमला-१७१००२, २२ सितम्बर, १९७९

संख्या-१०-४/७३-का० वि० (नि०-1)।—कोजदारों प्रक्रिया संहिता (Code of Criminal Procedure) १९७३ की धारा २० (१) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए हिमाचल प्रदेश के राज्यपाल, श्री सुन्दर सिंह नायब तहसीलदार, धुमारवी, को कार्यकारी दण्डाधिकारी (Executive Magistrate) सहर्ष नियुक्त करते हैं, तथा आदेश देते हैं कि उनके धुमारवी तहसील, विनामपुर जिले की स्थानीय सीमाओं के भीतर उक्त संहिता में वर्णित कार्यकारी दण्डाधिकारी के सभी अधिकार प्राप्त होंगे।

शिमला-१७१००२, २४ सितम्बर, १९७९

संख्या १०-२१७-२-का० वि० (नि०-1)।—कोजदारों प्रक्रिया संहिता (Code of Criminal Procedure) १९७३ की धारा २० (१) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, हिमाचल प्रदेश के राज्यपाल श्री जे० सी० थापर, उपायुक्त (RIR) ब्याम परियोजना, तलवाड़ा, को कार्यकारी दण्डाधिकारी, (Executive Magistrate) सहर्ष नियुक्त करते हैं तथा आदेश देते हैं कि उनको कांगड़ा, जिले की स्थानीय सीमाओं के भीतर उक्त संहिता में वर्णित कार्यकारी दण्डाधिकारी के सभी अधिकार प्राप्त होंगे।

Simla-171002, the 27th September, 1979

No. 1-3/75-DP(Apptt.).—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri K. C. Verma, H.A.S. S. D. M. District Kulu, to be Executive Magistrate, will all the powers of an Executive Magistrates under the said Code, to be the exercised within the local limites of Kulu district with effect from 28-9-79.

शुद्धि पत्र

शिमला-१७१००२, १० अक्तूबर, १९७९

संख्या का० वि० (नि०-1)-बी(३)-११७८-—इस विभाग की समसंख्यांक अधिसूचना, दिनांक २१-८-१९७९ की दूसरी पंक्ति में 'राज्यपाल' तथा 'श्री के० सी० राजपूत के बीच निम्नलिखित शब्द जोड़े जाने हैं—

'लोक सेवा आयोग के परामर्श पर'

कृष्ण चन्द्र शर्मा,
संयुक्त सचिव।

अन्त्योदय विभाग

अधिसूचना

शिमला-४, २ अक्तूबर, १९७९

संख्या उदयक(४)-४/७९-—राज्यपाल, हिमाचल प्रदेश, हिमाचल प्रदेश अन्त्योदय निगम अधिनियम, १९७९ (१९७९ का १७) की धारा ७ की उप-धारा (१) द्वारा प्रदत्त शक्तियों को प्रयोग में लाते हुए सहर्ष निम्नलिखित व्यक्तियों को हिमाचल प्रदेश अन्त्योदय निगम के निदेशक बोर्ड (बोर्ड आफ डायरेक्टर्स) के सदस्य मनोनीत करते हैं—

१. श्री शांता कुमार मुख्य मन्त्री, हिमाचल प्रदेश पदेन निदेशक तथा अध्यक्ष अन्त्योदय निगम।
२. श्री अमर सिंह, विधायक—निदेशक तथा उपाध्यक्ष
३. वित्तियुक्त—निदेशक
४. कृषि उत्पादन आयुक्त—निदेशक
५. सचिव (उद्योग)—निदेशक
६. सचिव (कल्याण)—निदेशक
७. सचिव (वित्त)—निदेशक
८. समन्वयक (अन्त्योदय)—निदेशक व पदेन प्रबन्धक निदेशक।

हस्ताक्षरित,
सचिव।

Simla-171002, the 25th October, 1979

No. 23-13/71-Agr.—The Governor, Himachal Pradesh, is pleased to order that the service rendered by Shri L. S. Kingra, Director of Agriculture, Himachal Pradesh, for the period from 9-8-1952 to 30-8-1955 as Agriculture Inspector under the Punjab Government shall be counted for the purposes of pension under the Government of Himachal Pradesh and that the day viz. 31-8-1955 spent in transit by Shri Kingra to take up his new assignment as Research Assistant in the Department of Agriculture, Himachal Pradesh, shall be treated as joining time and the same shall also be counted for the purposes of pension likewise in combination with the service rendered by the officer under the Government of Himachal Pradesh with effect from 1-9-1955.

2. In accordance with Appendix 3 to Account Code Vol. I, the Governor, Himachal Pradesh, is further further pleased to order that the transit pay and allowances for 31st August 1955, shall be paid by the Government of Himachal Pradesh in the Department of Agriculture.

3. This issues with the concurrence of the Finance Department obtained vide their U. O. No. 1096-Fin. (C)B(15)/79, dated the 30th May, 1979.

By order,
ANANG PAL,
Secretary.

सहकारिता विभाग

अधिसूचनाएं

शिमला-२६ सितम्बर, १९७९

संख्या कोप० बी(२)-२/७९-—राज्यपाल, हिमाचल प्रदेश विभागीय पदोन्नति समिति की सिफारिशों पर, श्री बी० सी० सहगल, उप-पंजीयक, सहकारी सभाएं, हिमाचल प्रदेश, जोकि आन्तरिक हिमाचल प्रदेश प्रशासनिक सेवाएं संवर्ग पर हैं, की सहकारिता विभाग में संयुक्त पंजीयक, सहकारी सभाएं, हिमाचल प्रदेश श्रेणी-I राजपत्रित वेतनमान १३००—१६०० में स्थानापन्न पदोन्नति के तत्काल सहर्ष आदेश देते हैं

राज्यपाल, श्री सहगल के संयुक्त पंजीयक सहकारी सभाएं, सहकारिता निदेशालय शिमला में तैनाती के आदेश भी सहर्ष प्रदान करने हैं।

आदेश द्वारा,
अनंग पाल,
सचिव।

शिमला, २६ सितम्बर, १९७९

संख्या कोप० बी(२)-२/७९-—राज्यपाल, हिमाचल प्रदेश, श्री मेघ शाम शर्मा, उप-पंजीयक सहकारी सभाएं, हिमाचल प्रदेश, को संयुक्त पंजीयक सहकारी सभाएं, प्रथम श्रेणी के वेतनमान १३००—१६०० में सहकारिता निदेशालय, हिमाचल प्रदेश में विनकुल अस्थायी रूप से पदोन्नत करने के आदेश सहर्ष प्रदान करने हैं। यह पदोन्नति उसी दिन से मान्य होगी जिस दिन श्री जमा उक्त पद का कार्यभार सम्भालेंगे।

यह पदोन्नति बिल्कुल होने के कारण पदोन्नत अधिकारी को पदोन्नति/वरिष्ठता आदि के किसी भी प्रकार के अधिकार प्रदान नहीं करेगी।

अनंग पाल,
सचिव।

शिक्षा विभाग

अधिसूचना

शिमला-२, ६ सितम्बर, १९७९

संख्या च(७)-२/७९-शिक्षा(कै)-—राज्यपाल, हिमाचल प्रदेश शिक्षा विभाग के लिये एक समिति (बोर्ड आफ एग्जामिनेटर्स) जो शिक्षा विभाग की व्यवसायिक उपाधियों को मान्यता देने के लिये प्रस्ताव सिफारिश करेगी के गठन के सहर्ष आदेश देते हैं—

2. उपरोक्त बोर्ड ग्राफ अससमेंट का गठन निम्न प्रकार से होगा:—

- | | |
|--|-------------|
| 1. सचिव (शिक्षा) हिमाचल प्रदेश | चेयरमैन |
| 2. उपकुलपति, हिमाचल प्रदेश विश्वविद्यालय या उनके द्वारा मनोनीत सदस्य | सदस्य |
| 3. अध्यक्ष स्कूल बोर्ड ग्राफ ऐजुकेशन | सदस्य |
| 4. निदेशक शिक्षा हिमाचल प्रदेश | सदस्य |
| 5. प्राचार्य शिक्षा संस्थान या प्राचार्य शिक्षा महाविद्यालय | सदस्य |
| 6. एक जिला शिक्षा अधिकारी, शिक्षा निदेशक द्वारा मनोनीत। | सदस्य |
| 7. सम्बन्धित विषय का विशेषज्ञ | सदस्य |
| 8. निदेशक (तकनीकी शिक्षा) या उनका मनोनीत सदस्य। | सदस्य |
| 9. संयुक्त निदेशक (शिक्षा) हिमाचल प्रदेश | सदस्य-सचिव। |

3. बोर्ड के लेखाधिकार इस प्रकार होंगे:—

(1) बोर्ड शिक्षा विभाग में केवल व्यवसायिक (प्रोफेशनल) योग्यताओं या निम्नलिखितों, यानी एम.एड., बी.एड., जे.बी.टी., एस.टी., प्रो.टी. कला अध्यापक (डाईंग मास्टरज), शारीरिक अध्यापक (पी.टी.आई.), होम साईंस अध्यापक तथा नर्सरी अध्यापकों की व्यवसायिक डिग्री/डिप्लोमा/प्रमाण पत्रों के बारे में ही मान्यता देने के बारे में सिफारिश करेगा।

(2) बोर्ड केवल उन्हीं डिप्लोमा/डिप्लोमाओं तथा प्रमाण पत्रों के बारे में राज्य सरकार को सिफारिश करेगा जिसके बारे में अन्य राज्य सरकारों से कोई सन्दर्भ आया हो। सिफारिश के समय बोर्ड अपनी राज्य सरकार द्वारा दी गई मान्यताओं को भी ध्यान में रखेगा और यह (प्रायः रेसीप्रोकल बेसिस) पर ही मान्यता देने की सिफारिश करेगा।

(3) विभिन्न संस्थाओं द्वारा मान्यता प्राप्त करने के प्रार्थना पत्रों पर भी बोर्ड विचार करने के उपरांत अपनी सिफारिश सरकार को प्रस्तुत करेगा।

(I) बोर्ड मान्यता प्रदान करने हेतु हरियाणा सरकार के आचार पर एक मार्गदर्शक भी तैयार करेगा।

(II) इसके अतिरिक्त जो भी मान्यता प्रदान करने सम्बन्धी मामले शिक्षा विभाग बोर्ड के समक्ष रखना चाहे, बारे में भी अपनी सिफारिश प्रस्तुत करेगा।

4. बोर्ड का कार्यकाल अधिमूचना जारी होने से तीन (3) वर्ष तक होगा।

भगत चन्द्र नेगी,
सचिव।

FOREST FARMING AND ENVIRONMENTAL CONSERVATION DEPARTMENT

NOTIFICATION

Simla-2, the 28th September, 1979

No. Van. Kha-15-1/78.—On the recommendations of the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint Shri Prevej Akhtar as Assistant Engineer (Civil) in the Forest Department, Himachal Pradesh in the pay-scale of Rs. 400-30-700/40-1100 against a temporary post with effect from 11th September, 1979 (forenoon)

2. He shall be on probation for a period of two years, He will be considered for confirmation only after the post in question is converted into to permanent one and subject to his work and conduct found satisfactory.

A. N. VIDYARTHI,
Secretary.

मतस्य पालन विभाग

अधिमूचना

शिमला-१७१००२, २५ सितम्बर, १९७९

संख्या मतस्य-क (३)-१/७७.—राज्यपाल महोदय, हिमाचल प्रदेश श्री बी० पी० पुरी, मतस्य अधिकारी, विलासपुर को श्री कन्हैया सिंह, सहायक मतस्य निदेशक, मण्डी जोकि इस समय अवकाश पर हैं, के स्थान पर अस्थाई तौर पर सहायक निदेशक मतस्य, मण्डी के पद पर ३५०-२५-५००/३०-५६०/३०-८३०/३५-६०० रुपये के वेतनमान पर पदोन्नति करके नियुक्त करते हैं। यह अस्थाई नियुक्ति केवल छः मास के लिए या उस दिन तक जब श्री कन्हैया सिंह अपना कार्यभार संभालेंगे, जो भी पहले हो, तक होगी।

ज्ञान चन्द,
अवर सचिव।

GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

Simla-171002, the 6th September, 1979

No. 11-66/72-GA-A.—In supersession of this Department notification of even number, dated the 28th September, 1977, the Governor, Himachal Pradesh is in his capacity as Chairman of the Himachal Pradesh State Managing Committee of Special Fund for Reconstruction and Rehabilitation of Ex-servicemen is pleased to re-constitute the Sub-Committee formed under Rule 12 of the Bye-Laws framed for the working of the special Fund as notified vide Government notification No. 11-114/68-GAD-I, dated the 11th August, 1970, as under:—

- | | |
|--|-----------|
| 1. Chief Secretary to the Government Himachal Pradesh | Chairmen |
| 2. Wng. Commander I.J.S. Parmar, Vr. C. (4835) (P) (Retd.), White Gate, Simla-2. | Member |
| 3. Director Resttlement, Western Zone, C/o Headquarters, Western Command, Simla-2. | Member |
| 4. Secretary, Rajya Sainik Board, Himachal Pradesh, Simla 171002. | Secretary |

2. The Sub-Committee will assist the main Committee in the day-to-day administration of the Fund.

PRITPAL SINGH,
Under Secretary

HOME (SECTION 'A') DEPARTMENT

NOTIFICATION

Simla-171002, the 20th September, 1979

No. Home(A)-A(4)-9/77.—In supersession of this Department Notification of even number, dated 5-3-1979, the Governor, Himachal Pradesh is pleased to order the following amendments in para-4 of this Department Notification of even number, dated the 8th/10th May, 1978, vide which the Police Study Group had been constituted:—

- (1) After the words "in connection with the work assigned to the group" for words "as per Annexure 'C'" the following words and signs be substituted:—

"and Telephone facilities as per Annexure 'C'".

- (2) After para-(5) of Annexure 'C', the following new para (5-A) shall be added:—

"(5-A). Telephone Facility.—For disposal of the official work, the non-official members and Chairman of the Police Study Group will be entitled to Government Telephone or in lieu thereof rental and call charges, if they use their own private Telephone(s) for this purpose, subject to the following:—

- (i) Telephone facilities will be made available for the period they remain in office;

(ii) Following limit of free local calls will apply:—

- (a) Upto February 28, 1979—1500 calls per quarter.
(b) From March, 1979 onwards—2000 calls per quarter.

By if any non-official Member/Chairman makes local telephone-calls in any quarter more than 1500 or 2000 (as the case may be) he will make the payment of excess calls from his own pocket. Payment of telephone rentals and calls will be made out of Government funds on the presentation of the bills by the concerned Member/Chairman."

By order,
L. HIMINGLIANA TOCHHAWNG
Chief Secretary.

स्वास्थ्य एवं परिवार कल्याण विभाग
अधिसूचनाएं

शिमला-२, २१ सितम्बर, १९७९

सं० एच० एफ० डब्ल्यू०-बी (३) १२१७८.—राज्यपाल, हिमाचल प्रदेश, डा० बी० एस० पण्डु, चिकित्सा अधिकारी का सरकारी मेवा से त्याग-पत्र दिनांक ३-४-१९७८ (बाद दोपहर) से स्वीकार करने हैं।

शिमला-२, २६ सितम्बर, १९७९

सं० स्वास्थ्य-बी० (३) २७१७८.—राज्यपाल, हिमाचल प्रदेश, डा० देवज्योति दाम गुप्ता, सह आचार्य, औषधि विभाग को ६००-५०-११५०१५०-१३०० तथा १०० रुपये विशेष वेतन के वेतनमान में ११५० रुपये की स्टेज पर दिनांक १-१-७९ से दक्षतारोध पार करने की अनुमति प्रदान करते हैं। दिनांक १-१-७९ को डा० देवज्योति दाम गुप्ता का वेतन १२०० रुपये तथा १०० रुपये विशेष वेतन हो जायेगा।

अमर नाथ विचार्य,
मन्त्रि ।

NOTIFICATION

Simla, the 15th October, 1979

No. 1-197/69-H&FW.—The Governor of Himachal Pradesh is pleased to cancel this Department notification of even number dated 19-6-78 with immediate effect.

O. P. YADAV,
Secretary.

उद्योग विभाग

अधिसूचनाएं

शिमला-२, ५ सितम्बर, १९७९

संख्या इण्ड-VI (एफ) १०-२१७८.—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि एसोसिएटेड मोमेंट कम्पनी लिमिटेड जो कि भूमि अधिग्रहण नियम, १९६४, की धारा ३ के अन्तर्गत कम्पनी परिभाषित है को अपने व्यय पर लोक प्रयोजन यथा जिला विलासपुर के गगल नामक स्थान पर फैक्टरी एवं कालोनी के निर्माण हेतु भूमि अधिग्रहित है, तो एतद्वारा यह अधिसूचित किया जाता है कि नीचे विशिष्ट विवरण में विवरणित स्थानों में उपरोक्त प्रयोजनों के लिए भूमि अधिग्रहित की जाती है।

२. यह घोषणा भूमि अधिग्रहण अधिनियम, १९६४ की धारा ६ के प्रावधानों के अन्तर्गत उन सब को जारी की जाती है जिन से यह सम्बन्धित है और भूमि अधिग्रहण समार्वर्त (उद्योग), विलासपुर को उक्त अधिग्रहण अधिनियम की धारा ७ के प्रावधानों

के अन्तर्गत एतद्वारा निर्देश दिया जाता है कि वह उपर्युक्त भूमि के अधिग्रहण के लिए आदेश प्राप्त करे।

३. इस भूमि का नक्का आदि भूमि अधिग्रहण समार्वर्त (उद्योग), विलासपुर के कार्यालय में अवलोकन किया जा सकता है।

विशिष्ट विवरण

जिला:	विलासपुर	तहसील:	संहर
गांव	खमरा नं०	रकबा	विवरण
१	२	३	४
भटेड़ उपरनी	१३०११	०	२
	१३११२	३	११
	१३२	०	२
	१३३	१	०
	१३४	०	४
	१३५	०	४
	१३६११	१	१५
	२००११	०	१४
	२०१११	३	१५
खटेड़	६८३	६	१३
	१०१	१	३
	१०२	०	५
	१०३११	१०	७
	१०४	०	७
	१०५	०	१३
	१०६	०	७
	१०७	५	१३
	१०८	०	१
	१०९	०	७
	११०	०	७
	१११	०	२
	११२	१३	१२
	११३	०	४
	११४	१	६
	११५	०	४
	११६	१	१०
	११७	०	६
	११८	३	१३
	११९	३	८
	१२०११	०	६
	१२१११	१	०
	१२२	३	१
	१२३	१६	१६
	१२४	१	७
	१२५	४	६
	१२६११	५	६
	१२७११	०	५
	३४६११३६	०	३
	३५०११३६१३	३२	१६
	१३७	२	२
	१३८	२	१२
	१३९	१	३
	१४०१२	०	७
	१४१	४	२
	१४२१२	१५	१६
	१४३	१	६
	१४४	१	११
	१४५	०	११
	१४६	०	१०
	१४७	०	१५
	१४८	२	३
	१४९	२	३
	१५०	०	२
	१५१	०	१
	१५२	०	१
	१५३११	०	१
	१५४११	०	१

१	२	३	४	१	२
	१६०	०	२		७२
	१६१	०	७		७४१२
	१६२१२	२	६		७८११
	१६३१२	०	८		८४१२
	१६४	१	३	खटेक	५६११
	१६५११	१	१०		५६१३
	१६६११	०	५		६०
	१६७११	०	१		६२११
	३६२११८१४	०	३		६३११
नालग	१	१	१८		६४
	२	१	६		६५
	३१२	१	६		६६११
	४१२	०	७		६८११
	५१२	०	११		६६११११
	६१२	०	६		६६१२११
	७	०	४		८४११११
	८११,२	०	२		८५१२
	१०११	०	१		८६१२
	११११,२	०	३		८६११
	१२११,२	१	२		९०
	१३	०	१६		९११३
	१४	१	५		९७११
	१५	०	७		९८१२
	१६	१	१३		१८४११
	४२३११७	०	४		१८५११,२
	४२४११७	४	११		१८८११
	४२५११८	०	५		१८६११
	४२६११८	४	६		१९०
	१९	०	१४		१९२
	२०११,२	५	६		१९३
	३४११	०	२		१९४
	३५११	०	१४		१९५
	३६	०	६		१९६११
	३७१३	६	१३		१९७११
	३८	३	३		१९८११
	३९	३	३		२००
	४०	०	२		२०२
	४१	६	३		२०४
	४२	१	१०		२०५
	४३	०	४		२०६
	४४	०	३		२०७
	४५	०	४		२०८
	४६	२	१४		२०९
	४७	२	६		२१०
	४८	०	१८		२११
	४९	१	२		२१२
	५०	१	१		२१४११
	५१	१	११		२१५११
	५२	०	१५		२१८११
	५३	०	१६		२२७११
	५४	०	१२		२३७१२
	५५	०	१७		२३८११
	५६	०	६		२३९
	५७	१	५		२४०
	५८	४	१६		२४१
	६०	३	७		२४२
	६१	६	१		३५११२४३
	६२	२	७		३५२१२४३
	६३	७	१		२४४
	६४	०	६		२४५
	६५	५	१६		२४६
	६६	४	१४		२४७
	६७१२	६	११		२४८
	६८१४	६	३		२४९
	६९	०	१०		२५०
	७०११	०	११		२५१११
	७११२	०	६		२५२१२

१	२	३	४
२५८१९	१६	१६	
२५६	०	११	
२६०१२	८	१३	
२६३	१	१०	
२६४	०	८	
२६७	३६	२	
२६८१२	४	१२	
२६६१९	२	१३	
२७४	७	१४	
२७५	४	१५	
२७६	०	११	
२७७	०	१६	
२७८	३	१३	
२७६१९	२५	०	
३३५१९	०	१४	
३३७१८	२४	१२	
३३६	१	३	
३५२१९	०	१७	
३५४१९	०	१	
३५५१९	१	५	
३५७१९	५	१०	
३५६	३	१३	
३६०१९	२	१४	
३६११९	१०	१६	
३६२१२	१३	१६	
३६४१९	०	८	
३६५१९	०	१०	
कुल रकबा		६४०	६

शिमला-२, ६ अक्टूबर, १९७६

सं० १४-२१७० एस्. आई. (संरी)-II.—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः गांव भरमाड़, तहसील नूरपुर, जिला कांगड़ा में गहवूत रोपण हेतु भूमि अर्जित करनी अपेक्षित है अतएव एतद्-द्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिये भूमि का अर्जन अपेक्षित है।

२. यह अधिसूचना ऐसे सभी व्यक्तियों जो इस से सम्बन्धित हो सकते हैं की जानकारी के लिये भूअर्जन अधिनियम, १८६४ की धारा ४ के उपबन्धों के अन्तर्गत जारी की जाती है।

३. उपरोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके में किसी भूमि में प्रवेश करने और सर्वेक्षण करने और उस धारा अपेक्षित या अनुमत अन्य सभी कार्य करने के लिये सर्व्व प्राधिकार देते हैं।

४. कोई भी ऐसा हितबद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के ३० दिन के भीतर लिखित रूप में कमिश्नर नूरपुर, जिला कांगड़ा के समक्ष अपनी आपत्ति दायर कर सकता है।

विशिष्ट विवरणिका

जिला : कांगड़ा

तहसील : नूरपुर

गांव	खसरा	क्षेत्र	
१	२	कनाल	मरला
भरमाड़	१३५६	१	१०
	१३५७	४	०७
	१३५८	५	१६
कुल जोड़		११	१३

शिमला-२, १० अक्टूबर, १९७६

संख्या इण्ड-१ (ए) ८-१२१७६-एम० आई० डी० सी०.—राज्यपाल, हिमाचल प्रदेश निम्नलिखित अधिकारियों के सभी हिस्सों को जो कि उनके नाम सरकारी तौर पर एम० आई० डी० सी० में हैं अब उनके उत्तराधिकारियों के नाम हस्तान्तरित करने की महर्ष अनुमति प्रदान करते हैं—

जिस के नाम हिस्से हैं जिसके नाम हस्तान्तरित करने हैं

- श्रीमती उषा मिट्टू, आई० ए० एम० उ०, सचिव (उद्योग), हिमाचल प्रदेश सरकार। श्री योगेश खन्ना, आई० ए० एम० संचयन सचिव (उद्योग), हिमाचल प्रदेश सरकार।
- श्री रवी दीगरा, आई० ए० एम० (सात हिस्से क्रमांक २६२४३ से २६२४६ तक)। श्री अनुपमधर, आई० ए० एम० प्रबन्ध निदेशक, एम० आई० डी० सी०

२. यह अधिसूचना हिमाचल प्रदेश, वित्त विभाग की पुर्व स्वीकृति से उनकी अनौपचारिक टिप्पणी संख्या ६२५७३६-वित्त (अ), दिनांक १८-६-१९७६ द्वारा प्राप्त कर के जारी की जाती है।

शिमला-२, ११ अक्टूबर, १९७६

सं० ६-५८१७५-एम० आई० (संरी).—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः बलखण्डी, तहसील देहरा, जिला कांगड़ा में गहवूत रोपण हेतु भूमि अर्जित करनी अपेक्षित है अतएव एतद्द्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरण में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिये भूमि का अर्जन अपेक्षित है।

२. यह घोषणा भूमि अधिग्रहण अधिनियम, १८६४ की धारा ६ के प्रावधानों के अन्तर्गत उन सबको जारी की जाती है जिन से यह सम्बन्धित है और कर्नल देहरा, जिला कांगड़ा को उक्त भूमि अधिग्रहण अधिनियम की धारा ७ के प्रावधानों के अन्तर्गत एतद्द्वारा निर्देश दिया जाता है कि वह सम्बन्धित भूमि के अधिग्रहण के लिये आदेश प्राप्त करें।

३. इस भूमि का नक्शा आदि कर्नल देहरा के कार्यालय में अवलोकन किया जा सकता है।

विशिष्ट विवरणः

जिला : कांगड़ा

तहसील : देहरा

गांव	खसरा सं०	क्षेत्र	
		कनाल	मरला
बलखण्डी	१	६	१५
	६	१३	१८
	७	३	१६
	८	३	०७
	१०	६	०१
	३३	०	०१
	३४	१४	०१
	३५	०	१५
कुल		५६	११

शिमला-२, १५ अक्टूबर, १९७६

संख्या उद्योग-७ (१२) १०१७६.—यह प्रमाणित किया जाता है कि श्री अमर सिंह बर्मा, गांव बडाकखाना शिलाई (सिरमौर), हिमाचल प्रदेश खनिज अन्वेषण तथा भूमि पट्टे पर लेने के लिए गुप्तमन्त्र व्यक्ति/कर्म/कम्पनी है। यह हिमाचल प्रदेश मितरल कर्मचयन १९६० के अन्तर्गत हिमाचल प्रदेश में तेल तथा प्राकृतिक गैस के अन्वेषण सभी खनिजों का अन्वेषण करेगा।

२. यह प्रमाण-पत्र २१-१२-१९७६ तक प्रवत है।

शिमला-१७१००२, १६ अक्टूबर, १९७९

श्रम, रोजगार तथा मृदण विभाग
अधिसूचना

सं० इष्ट-६ (एफ) ६-१।७९ (आई० ए०)।—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः, गांव सुलतानपुर, तहसील चम्बा, जिला चम्बा में औद्योगिक क्षेत्र की स्थापना हेतु भूमि अर्जित करनी अपेक्षित है, अतएव यह अधिसूचित किया जाता है कि उक्त परिध्व में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

शिमला-२, ४ अक्टूबर, १९७९

संख्या १-८७/६६-एस०आई० (एफ) (II)।—विभागीय पदोन्नति समिति की सिफारिश के आधार पर राज्यपाल, हिमाचल प्रदेश भूतपूर्व श्री नन्द कुमार अग्निहोत्री, प्रधानाचार्य, आधुनिक (वेतनमान ३५०-६००) औद्योगिक प्रशिक्षण संस्थान को दिनांक १२-३-१९७० से स्थाई करने के सहर्ष आदेश देते हैं।

आदेश से,
श्री ० पी यादव,
सचिव।

२. यह अधिसूचना ऐसे सभी व्यक्तियों, जो इस से सम्बन्धित हो सकते हैं, की जानकारी के लिए भू-अर्जन अधिनियम, १८६४ की धारा ४ के अनुबंधों के अन्तर्गत जारी की जाती है।

३. राज्यपाल की राय है कि उक्त अधिनियम की धारा 11 की उपधारा (१) के उपबन्ध, उक्त भूमि पर उस सीमा तक लागू होते हैं, जहां तक उक्त भूमि की, जो कि कृषि योग्य या बंजर है, उपर्युक्त सार्वजनिक प्रयोजन के लिए अत्यन्त आवश्यक है और इस अत्यधिक आवश्यकता को दृष्टि में रखते हुए यह भी आवश्यक है कि उक्त अधिनियम की धारा ५-ए के अधीन जांच करने से होने वाले सम्भावित विलम्ब को न होने दिया जाए, अतएव राज्यपाल, हिमाचल प्रदेश, उक्त अधिनियम की धारा १७ की उप-धारा (४) के अधीन यह भी निदेश देते हैं कि उक्त अधिनियम की धारा ५(ए) के उपबन्ध लागू नहीं होंगे।

४. इस भूमि का नक्शा भूमि अर्जन समाहर्ता, चम्बा, जिला चम्बा (हिमाचल प्रदेश) के कार्यालय में अवलोकन किया जा सकता है।

विवरणी

जिला: चम्बा		तहसील: चम्बा		
गांव	खसरा नं०	वीधा	विस्वा	विस्वांसी
१	२	३	४	५
मोहाल	६२७।७७३ तथा	१	२	०
सुलतानपुर	७७८।४४३			
	कुल	१	२	०

आदेश द्वारा,
रमेश चन्द्र गुप्ता,
आयुक्त एवं सचिव।

श्रम विभाग

अधिसूचना

शिमला-२, २८ अगस्त, १९७९

सं० एल० ई० पी० (श्रम) ६(३) (सी०)-८।७७-भाग-II।—औद्योगिक विवाद अधिनियम, १९४७ (४७ का १४) की धारा १७ के अनुसरण में राज्यपाल, हिमाचल प्रदेश, श्री प्रीतम सिंह डिलर, टोकन नं० १५६-जे वनाम अधीक्षण अभियन्ता, व्यास-सतलुज लिंक परसोनल सर्विल मुन्दरनगर के मध्य चल रहे विवाद पर प्रिजाईडिंग ऑफिसर श्रम न्यायालय हि० प्र० द्वारा किए गये निम्नोक्त निर्णय जो सरकार को पहली जून, १९७९ को प्राप्त हुआ है, को प्रकाशित करने के सहर्ष आदेश देते हैं:-

"The applicant's authorised representative submits that the claim of the applicant has been satisfied by the BSL Project respondents and this application may be now dismissed as withdrawn. The application is dismissed as withdrawn with no order as to costs.

Sd/- Presiding Officer,
Labour Court.

आदेश द्वारा,
अमरनाथ विद्यार्थी,
सचिव।

योजना विभाग

अधिसूचनायें

शिमला-२, २७ सितम्बर, १९७९

संख्या: योजना (बी) २-३।७७।—राज्यपाल, हिमाचल प्रदेश अपने अधीन समस्त शक्तियों का प्रयोग करते हुए तथा लोक सेवा आयोग के परामर्श अनुमोदन के पश्चात् श्री मुरेन्द्र भटनागर, सहायक, हिमाचल प्रदेश सचिवालय को राज्य योजना तन्त्र में अनुसन्धान अधिकारी, द्वितीय श्रेणी राजपत्रित (३५०-८०० रुपये के वेतनमान) के पद पर स्थानीयतरण-प्रति-नियुक्ति द्वारा उनके कार्यभार सम्भालने की तिथि से तीन वर्ष तक की अवधि के लिये नियुक्ति करने की सहर्ष स्वीकृति प्रदान करते हैं।

स्वतन्त्र कुमार आलोक,
सचिव।

शिमला-२, ४ अक्टूबर, १९७९

संख्या योजना (बी) २-२।७४।—राज्यपाल, हिमाचल प्रदेश, अपने अधीन समस्त शक्तियों का प्रयोग करते हुए अथवा हिमाचल प्रदेश लोक सेवा आयोग के परामर्श उपरान्त श्री नवल किशोर, स्थाई जिला सांख्यिकी अधिकारी, हिमाचल प्रदेश को अर्थ एवं संख्या विभाग में उप-निदेशक, अर्थ एवं संख्या, हिमाचल प्रदेश के पद पर जो कि प्रथम श्रेणी का पद है और ४००-१२५० रुपये के वेतनमान में है, सहर्ष पदोन्नति के आदेश देते हैं।

आदेश से,
स्वतन्त्र कुमार आलोक,
सचिव।

लोक निर्माण विभाग (अनुभाग ख)

अधिसूचना

शिमला-१७२००२, २६ अगस्त, 1979

क्रमांक-लो० नि० (ख) ५४१/७९।—राज्यपाल, हिमाचल प्रदेश किन्नौर जिले की पी ओ टाउनशिप परियोजना के लिये परामर्श दाता समिति के गठन को स्वीकृति सहर्ष प्रदान करते हैं। इस समिति के निम्नलिखित सदस्य होंगे।:-

(१) सदस्य विधान सभा, जिला किन्नौर	चेयरमैन
(२) जिलाधीश, किन्नौर	सदस्य
(३) अधीक्षण अभियन्ता, किन्नौर (डाइवल)	सदस्य
(४) अधीक्षण अभियन्ता, (अवन एवं मार्ग), किन्नौर	सदस्य सचिव
(५) जिला उद्योग अधिकारी, जिला किन्नौर	सदस्य
(६) वन मण्डल अधिकारी, किन्नौर	सदस्य
(७) जिला सम्पर्क अधिकारी, जिला किन्नौर	सदस्य
(८) जिला पंचायत अधिकारी, जिला किन्नौर	सदस्य
(९) चौक मैडिकल ऑफिसर, किन्नौर	सदस्य
(१०) अधीक्षक पुलिस, जिला किन्नौर	सदस्य
(११) प्रधान ग्राम पंचायत (कल्पा)	सदस्य
(१२) चेयरमैन पंचायत समिति, कल्पा विकास खण्ड	सदस्य
(१३) जिला बागवानी अधिकारी, कल्पा	सदस्य
(१४) जिला कृषि अधिकारी, कल्पा	सदस्य
(१५) एस० डी० ओ० सिविल, कल्पा	सदस्य

२. यह समिति किन्नौर जिला पी ओ टाउनशिप परियोजना को बनाने/कार्यान्वित करने के सम्बन्ध में अपना परामर्श नगर एवं ग्रामीण संस्थान को देगी।

३. यह समिति दो वर्षों के लिये बनाई जाती है। यदि आवश्यकता हुई तो इसका कार्यकाल बढ़ाया जा सकता है।

सी० सी० नेगो,
सचिव।

Simla-2, the 24th September, 1979

No. 9-9/73-PW (B).—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for c/o Braham-Pukhar-Jukhala-Ghagas Road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon any survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may within thirty days of the publication of this notification, file an objection in writing before the Collector of Bilaspur, Simla districts, Himachal Pradesh Public Works Department, Simla-1.

SPECIFICATION

District: BILASPUR Tehsil: SADAR

Village	Khasra No.	Area Big. Bis.
GHIANA/34	72/1	0 18
	74/1	0 6
	75/1	0 8
Total	~3	1 12

Simla-2, the 10th October, 1979

No. 1-59/75-PW 'A'.—The Governor, Himachal Pradesh, is pleased to retire Shri Harinder Singh, Executive Engineer, in Himachal Pradesh Public Works Department from service w.e.f. the 20th October, 1979 (A.N.) at his request seeking voluntary retirement.

By order,
B. C. NEGI,
Commissioner-cum-Secretary.

REVENUE DEPARTMENT

NOTIFICATION

Simla-2, the 11th September, 1979

No. Rev. 1-A (2)-2/76.—In exercise of the powers vested in him under section 3 (2) of the Himachal Pradesh Restitution of the Mortgaged Land Act, 1976 (Act No. 20 of 1976) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to specially empower the following officers, who are the Assistant Collectors of First Grade, to perform the duties of Collector for the purposes of the said Act to be exercised by them within the local limits of their jurisdiction as specified against each below:—

Name and Designation of Officer	Areas of Jurisdiction
1. Shri Bal Ram Sharma, S.D.O. Theog	Sub-Division (C), Theog.
2. Shri B. C. Katoch S.D.O. (C), Jogindernagar.	Joginder Sub-Division nagar
3. Shri Ajay Bhandari, S.D.O. (C), Arki.	Arki Sub-Division
4. Shri Inder Singh, S.D.O. (C), Kangra.	Kangra Sub-Division
5. Shri J. Jiwan, S.D.O. (C), Mandi Sadar/Chachiot	Sub-Divisions.
6. Miss Sarojani Ganjoo, S.D.O. (C), Bilaspur.	Bilaspur Sub-Division
7. Shri Jagdish Chand Thaper, S.D.O. (C), Rampur.	Rampur Sub-Division

Name and Designation of officer Area of jurisdiction
8. Shri Rama Nand Gopal, Chamba Sub-Division S.D.O. (C), Chamba.

By order,
H. S. DUBEY,
Secretary.

RURAL INTEGRATED DEVELOPMENT DEPARTMENT NOTIFICATION

Simla-171002, the 19th September, 1979

No. RID-1-B (3)-1/77.—In continuation of this Department Notification of even number, dated 30-7-1979 and order of the same No. dated 20-8-1979, the Governor, Himachal Pradesh on the recommendations of Himachal Pradesh Public Service Commission, is pleased to appoint Shri Darshan Pal, as Block Development Officer, Rural Integrated Development Department, Himachal Pradesh, in the pay scale of Rs. 350-25-500/30-590/30-800, with effect from 16-8-1979.

2. He will be on probation for a period of two years.

ANANG PAL,
Secretary.

पर्यटन विभाग

अधिसूचना

शिमला-२, २७ सितम्बर, १९७९

मं० ६-४६/७९-पर्यटन (सचि०).—हिमाचल के राज्यपाल महोदय, प्रबन्धक, हिमाचल भवन, को मुख्य शीर्ष "२६५-अन्य प्रज्ञाननिक सेवाएं (छ) अन्य व्यय (छ) (II) आतिथ्य संगठन-नान प्लान" के अधीन सन्नितरण अधिकारी घोषित करना है।

२. यह आदेश वित्त विभाग की पूर्व महमनि पर उनके अ० पत्र संख्या १७८६-वित्त (सी०) (२) ११३६, दिनांक ४-९-७९ द्वारा प्राप्त की गई है, से जारी किये गए हैं।

हस्ताक्षरित,
सचिव।

परिवहन विभाग

अधिसूचना

शिमला-२, १७ अक्टूबर, १९७९

संख्या टी० पी० टी० १-६/७६-मोटर यान अधिनियम, १९३९ (१९३९ का ४) की धारा ४८ द्वारा प्रदत्त शक्तियों तथा इस सम्बन्ध में अन्य सभी शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश निम्नलिखित सदस्यों का राज्य परिवहन प्राधिकरण का हिमाचल प्रदेश राज्य के लिए सहपुं गठन करते हैं ताकि पूर्वोक्त धारा की उपधारा (३) में निर्दिष्ट कृत्यों तथा शक्तियों का निर्वहन और प्रयोग किया जा सके:—

सरकारी सदस्य

(१) वित्त आयुक्त, हिमाचल प्रदेश	चेयरमैन
(२) मुख्य अभियन्ता (भवन तथा मड़के), हिमाचल प्रदेश	सदस्य
(३) महानिरीक्षक पुलिस, हिमाचल प्रदेश	सदस्य
(४) निदेशक उद्यान, हिमाचल प्रदेश	सदस्य
(५) आयुक्त परिवहन, हिमाचल प्रदेश	सदस्य

गैर सरकारी सदस्य

(१) श्री अमर सिंह, विधायक	सदस्य
(२) श्री ज्ञान चन्द मिन्हास, विधायक	सदस्य
(३) श्री बजलाल (मेजर), विधायक	सदस्य
(४) श्री देश राज, विधायक	सदस्य
(५) श्री मेहर सिंह चौहान, विधायक	सदस्य
(६) श्री मोती राम, विधायक	सदस्य
(७) श्री दिले राम, विधायक	सदस्य
(८) श्री केवल सिंह, भूतपूर्व विधायक, नूरपुर	सदस्य
(९) श्री सुरेश भागडाज, एडवोकेट शिमला।	सदस्य

गैर सदस्य सचिव
सचिव, राज्य परिवहन, प्राधिकरण

(२) हिमाचल प्रदेश विधान सभा सदस्यों का हिमाचल प्रदेश राज्य परिवहन प्राधिकरण के सदस्यों के रूप में मनोनीत करना इस जर्न पर किया जाता है कि यदि लोक लेखा/प्रत्युमान समिति का सदस्य मनोनीत किया गया हो तो सरकारी कमेटी की रिपोर्ट सरकार को पेश करने से पूर्व लोक लेखा समिति के सम्मुख ऐसी टिप्पणी के लिये जो वह करना चाहे, प्रस्तुत की जायेगी।

८ नवम्बर, १९७७ का अधिकरण करती है।

४. राज्य परिवहन प्राधिकरण के सरकारी/निर सरकारी सदस्य इस विभाग की अधिसूचना संख्या ४-११/६६-टी० पी० टी० दिनांक २२-८-१९७५ द्वारा अधिसूचित याता अता/दैनिक भत्ते के हकदार होंगे।

अमर नाथ विद्यार्थी,
आयुक्त एवं सचिव।

३. यह अधिसूचना इस विभाग की समसंख्यक अधिसूचना दिनांक

भाग 2—बंधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि DIRECTORATE OF AGRICULTURE

NOTIFICATION

Simla-5, the 3rd September, 1979

No. 31-39/78-Agr. VI.—In exercise of the powers vested in me vide paragraph 5 (2) of the H. P. Seed Potato (Control) Order, 1976, I hereby declare the following places mentioned hereunder where the licensee shall carry on business of Potato grading and marketing during the year, 1979-80, in Himachal Pradesh:—

SIMLA DISTRICT:

1. Fagu	34. Chhaila	67. Kansakoti
2. Kufri	35. Kotkhai	68. Machoti
3. Mundaghat	36. Gazta	69. Gohna
4. Koti	37. Kokunala	70. Chirgaon
5. Theog	38. Nihari	71. Seema
6. Cheog	39. Patshal	72. Badera
7. Nangal Devi	40. Khaneti	73. Ghorna
8. Bekhali	41. Khaltunala	74. Deha
9. Raighat	42. Melathi	75. Lalupul
10. Sarog	43. Deorigat	76. Marog
11. Sandhu	44. Chunjer	77. Chambi
12. Lafughati	45. Balokhar	78. Chopal
13. Shillaru	46. Mandhol	79. Jhignipul
14. Matiana	47. Bahali	80. Pulbahal
15. Narkanda	48. Dhargaura	81. Rampur
16. Shilikandli	49. Pujarli No. 482	82. Nogali
17. Chamain	50. Kharapather	83. Sarahan
18. Baghi	51. Shielghat	84. Jaisghat
19. Ratnari	52. Sarontha	85. Kandiali
20. Tikkar	53. Pota	86. Ekantbari
21. Oddi	54. Labrot	87. Firnoo
22. Barubag	55. Sawra	88. Kohalighat
23. Kingal	56. Hatkoti	89. Neerth
24. Umbladwar	57. Patsari	90. Karchari
25. Gnasidhar	58. Mandli	91. Jangla
26. Khadralla	59. Rohtan	92. Kharsughat
27. Tutupani	60. Anti	93. Tikkari
28. Nankhari	61. Sanail	94. Sandhasu
29. Sarithach	62. Kuddu	95. Kundopani
30. Nagadhar	63. Kastha	96. Hanstaridhar
31. Sungari	64. Arakot	
32. Gumma	65. Rohru	
33. Bhui	66. Summerkot	

KINNAUR DISTRICT:

1. Nichar	4. Sunam	7. Thang
2. Pooh	5. Maling	8. Kalpa
3. Chango	6. Tapri	

KULU DISTRICT:

1. Manali	4. Nirmand	7. Patlikuhl
2. Anni	5. Banjar	8. Largee
3. Bahang	6. Chauri Bihal	9. Bajora (Check post).

SIRMUR DISTRICT:

1. Rajgarh	7. Ghanduri
2. Deedag	8. Haripurdhar
3. Charna	9. Phagu
4. Churuwa	10. Habban
5. Sangrah	11. Dhambla
6. Naura Dhar	12. Dadahu

MANDI DISTRICT:

1. Jogindernagar	6. Baggi
2. Karsog	7. Ner Chowk
3. Choki	8. Jatingri
4. Chail Chowk	9. Ghata (Check post)
5. Thunag	

KANGRA DISTRICT:

1. Beer

CHAMBA DISTRICT:

1. Banikhet/Dalhousie	2. Tissa
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Sd/-
Director of Agriculture.

OFFICE OF THE DISTRICT MAGISTRATE, MANDI DISTRICT MANDI (H.P.)

NOTIFICATION

Mandi, the 14th September, 1979

No. F.D.S. MND. A (3) 26/77-9437-9540.—In partial modification of the notification issued vide Endstt. No. FDS. MND. A (3) 26/77-5526-5652 dated 5th July, 1979 and in exercise of the powers conferred upon me under clause 3 (1) (d) of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, I, G.S. Chambial, District Magistrate, Mandi district, Mandi do hereby re-fix the margin of profits in respect of Gur, Shakkar, Khandsari, H.V. Oil, Candles, Sweetmeat which a dealer may charge as given below:—

Articles	Wholesale margin			Retail sale margin		
	A	B	C	A	B	C
1. Gur Shakar, Khandsari	2%	2½%	3%	5%	6%	7%
2. H.V. Oil	1½%	1½%	2%	1½%	2%	3%
3. Candles	4%	4½%	5%	5%	5%	5%
4. Sweetmeat	—	—	—	7%	8%	9%

Note.—This order will come into force at once.

G. S. CHAMBIAL,
District Magistrate, Mandi.

OFFICE OF THE DISTRICT MAGISTRATE, SIRMUR, DISTRICT NAHAN

NOTIFICATION

Nahan, the 29th August, 1979

No. CS. 10-718/79-9737-45.—In supersession of all previous notifications and in exercise of the powers conferred upon me under clause 3 of Kerosene Oil (Fixation of Ceiling Price) Order, 1970, I, Chandrashekar Balakrishnan, I.A.S., District Magistrate, Sirmur district, Nahan do hereby fix the wholesale and retail sale rates

of superior kerosene oil as given below with immediate effect:—

1. *Sl. No.* —1.
 2. *Name of place.*—Nahan.
 3. *Wholesale rates exclusive Octroi and H.P. Sales tax.*—Rs. 161.68 per hundred litres.
 4. *Wholesale rate exclusive H.P. Sales tax.*—Rs. 163.68 per hundred litres.
 5. *Wholesale rate inclusive all taxes.*—Rs. 176.29 per hundred litres.
- RETAIL RATE PER LITRE INCLUSIVE OF ALL TAXES
6. *At petrol pump.*—Rs. 1.78 per litre.
 7. *At retail shops at Nahan.*—Rs. 1.84 per litre.

2. The kerosene oil dealers beyond the place mentioned above shall add actual transportation charges from above specified point to their shops/depots to arrive at the sale rate to be approved by the Tehsildars concerned plus retailer commission at the rate of four paise per litre.

3. Kerosene oil will not be stored at any premises other than the place of business.

4. Every dealer shall prominently display the price of kerosene oil at or near the entrance of the place of sale.

5. Any dealer selling or attempting to sell kerosene oil at the rate higher than the specified rates shall be punishable under section 7 of the Essential Commodities Act, 1955.

CHANDRASHEKAR BALAKRISHNAN,
District Magistrate.

कार्यालय जिला खाद्य एवं आपूर्ति नियन्त्रक, शिमला

आदेश

शिमला-१, २ अगस्त, १९७९

कमरेक सी. एम. ७-११७९.—पिछले सभी आदेशों के अधिकृमण और मिट्टी तेल (किमेशन आफ सीलिंग प्राइड्स) आदेश, १९७० की धारा ३ के अन्तर्गत में, के० एन० कश्यप, आई० ए० एम०, जिलाधीश, शिमला यह आदेश जारी करता है कि मिट्टी का तेल शिमला में निम्नलिखित थोक व परबून मूल्यों के अतिरिक्त नहीं बेचा जायेगा:—

बम स्टाय (काटे रोड) शिमला में मिट्टी तेल का थोक भाव १४७०.९३ पैसे प्रति किलोलीटर अतिरिक्त विक्री कर होगा जोकि शिमला के दुकानदारों को दिया जायेगा।

शिमला शहर के भिन्न-भिन्न जगहों के परबून भाव निम्नलिखित होंगे:—

क्रमांक	जगह का नाम	परबून भाव प्रति लीटर
१	२	३
१. बस अड्डे का क्षेत्र		१.६४
२. छोटा शिमला, संजौली, कसुम्पटी, टूट, जलोग, बालूगंज।		१.६६
३. मशोबरा, ढली		१.६७
४. लालपानी, पशु चिकित्सालय, कृष्णनगर और अपर कैथू।		१.६८
५. गूल, लोथर बाजार, मिडल बाजार, माल रोड, सैण्डल होटल, चौड़ा मैदान, मरीना होटल, नामा हाउस, लोथर कैथू, टूटी कण्डी, नया बाजार और सन्जी मण्डी।		१.६९
६. फागली, लक्कड़ बाजार और यू० एस० क्लब		१.७१
७. परसदास गार्डन		१.७२
८. लैहण भवन, जाबु, रामनगर व समर हिल		१.७३
९. भराड़ी		१.७४

उपरोक्त शिमला के परबून भाव सारे करों के सहित हैं। दूसरी जगह के व्यापारी ऊपर के थोक भाव (१४७०.९३ पैसे) के अतिरिक्त हिमाचल प्रदेश राज्य परिवहन का किराया, स्थानीय मजदूरी, ४ पैसे प्रति लीटर लाभ, चुंगी (अगर दी गई हो), कर तथा कर के ऊपर सरचार्ज व स्थानीय कर ले सकता है।

मिट्टी का तेल शिमला में तगर निगम में उम स्थान पर बेचा जा सकता है जो जगह लाइसेंस में दर्ज है। थोक व परबून विक्रेता मिट्टी के तेल का वकाया व भाव अपनी दुकान के सामने लगायेगा और मिट्टी के तेल का कृष-विक्रय का ठोक हिमाचल-किताब रखेगा ताकि निरीक्षण किया जा सके।

अगर कोई विक्रेता इस आदेश की किसी धारा का उल्लंघन करेगा तो उसके विरुद्ध मिट्टी तेल (किमेशन आफ सीलिंग प्राइड्स) आदेश, १९७० के अन्तर्गत कानूनी कार्यवाही की जायेगी।

पी० सी० डोगरा,
अतिरिक्त जिलाधीश, शिमला।

NOTIFICATION

PUBLIC WORKS DEPARTMENT

CORRIGENDUM

Simla-1, the 13th September, 1979

No. PWE-139-3/78 (Irri.). ESII-14041-14170.—The words 'Assistant Hydrogeologist' appearing in line 4 of Para-I of Secretary (PW)'s Notification No. 1-49/PWA-Vol.-IV., dated 5-7-1979, may please be read as 'Assistant Geologist'.

Sd/-
Chief Engineer.

Dharamsala, the 19th September, 1979

No. SE/PHCD/WS-2-90 75.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for Water Supply Scheme Andrana Bandhan in Tehsil Palampur, District Kangra, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra, Himachal Pradesh.

SPECIFICATION

District: KANGRA

Tehsil: PALAMPUR

Village	Khshra No.	Area		
		H.	R.	C.
GHANDERA	3	0	14	82
	186	0	09	04
	191	0	05	23
	192	0	03	24
	226	0	02	03
	227	0	01	27
	228	0	01	45
	229	0	02	72
Total		0	39	80

NOTIFICATIONS

Dharamsala, the 4th October, 1979

No. SE/PHCD/WS-2-30 73.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for Water Supply Scheme Galer Belaspur in Tehsil Dharamsala,

it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Hamirpur.

SPECIFICATION

District: KANGRA Tehsil: DEHRA

Village	Khasra No.	Area	
		H.	R. C.
THALA	34/1	0	20 13
	45/1	0	00 48
	44/1	0	00 18
Total		0	20 79

SANSAR CHAND,
Superintending Engineer,
Irrig.-cum-Public Health Circle,
H.P. P. W.D., Dharamsala.

Mandi, the 22nd September, 1979

No. SEI-R-25-68 WAIH/79. —Whereas it appears to the Governor, Himachal Pradesh that land is likely to be acquired to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Sundernagar-Jaidevi Road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an

objection in writing before the Collector of Land Acquisition, Himachal Pradesh, Public Works Department Mandi.

SPECIFICATION

District: MANDI Tehsil: SUNDERNAGAR

Village	Khasra No.	Area	
		Big.	Bis. Bisw.
DRAMAN 106	136/1	1	17 7

B. S. KALSY,

Superintending Engineer,
1st Circle, H.P., P.W.D., Mandi.

Solan, the 21st September, 1979

No. SE-III-G (R) 61-9/79. —Whereas it appears to the Governor, Himachal Pradesh that land is likely to be acquired to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for Kunihar-Bainj-ki-Hatti-Brahmpukher Road, is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the undertaking with their servants and workmen to enter upon and survey any land in the locality, and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Solan.

SPECIFICATION

District: SOLAN Tehsil: ARKI

Village	Khasra No.	Area	
		Big.	Bis.
PATTI-JAGIR	13/2	1	8
	9/2	0	5
	10/2	0	18
	11/1	0	1
	12/2	1	1
	27/2	1	18
Total	6	5	11

M. L. BANSAL,

Superintending Engineer,
3rd Circle, H.P.P.W.D., Solan.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंशियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित प्रादेश इत्यादि

राजस्व विभाग

शुद्ध पत्र

जिमला-2, 14 सितम्बर, 1979

संख्या राजस्व-1(वी) 3-1/79.—इस विभाग की सम संख्यक अधिसूचना दिनांक 31-5-1979 के क्रम संख्या 7 पर तीसरी पंक्ति में "नायब-तहसीलदार काजा" के स्थान पर "तहसीलदार काजा" पढ़ा जाये।

हरि शंकर दुब्बे,
वित्त आयुक्त।

TOURISM DEPARTMENT

CORRIGENDUM

Simla-2, the 24th August, 1979

No. 2-23/76-TD (Sectt.).—The following lines shall be inserted between the words "who were/are" and the words "finally absorbed" in the foot note No. 10 of the annexure I attached to the notification No. 2-23/76-TD (Sectt.), dated 26-7-1979:—

"subsequently appointed by such corporations/autonomous bodies and are/were".

Sd/-
Secretary.

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग

न्याय

भाग 5—वैयक्तिक अधिलुचनाएं और विज्ञापन

In the Court of District Judge Hamirpur, Himachal Pradesh

Guardian Act Case No. 11/79

(1) Shri Vijay Kumar, (2) Ashok Kumar, (3) Bakesh Kumar sons and Meena Devi daughter of Shri Bhauntha minor, (4) Smt. Reshmu Devi, widow of Bhauntha son of Jai Singh, resident of Tika Bari, Tehsil Palampur, District Kangra (Himachal Pradesh) minors through Smt. Reshmu Devi mother of the minors widow of Shri Bhauntha resident of village Bari, Tehsil Palampur, District Kangra (Himachal Pradesh).

Versus

General public.

Petition under Section 8 of the Hindu Minority and Guardianship Act.

To

The General public.

Whereas the above named petitioner having applied for the appointment of guardian of the person and property of minors Vijay Kumar etc., noted above resident of village Bari, Tehsil Palampur.

Notice is hereby issued to the general public to file objection if any against the grant of permission in favour of the petitioner on 30-11-1979 at 10 A.M. in this Court at Hamirpur. In case no objection is received in this Court on or before the above date fixed, further proceedings with regard to the grant of permission for the appointment of guardian in favour of the petitioner will be taken.

Given under my hand and the seal of the Court this 18th day of October, 1979.

Seal.

Sd/-
District Judge.

In the Court of Shri Janeshwar Goyal, Senior Sub-Judge, Una district, Una (Himachal Pradesh)

Succession Act Case No. 8 of 1979

Shri Mahant Bishanu, Devanand Chela, Mahant, Daulta Nand, Yogi Panga, Tehsil and District Una .. Petitioner.

Versus

The General public.

Whereas in the above noted case the petitioner has filed an application under Indian Succession Act in respect of the debt of Shri Daulta Nand Ji deceased.

The Notice is hereby given to the general public and relation and the kinsman of the deceased that if any body has got any objection to the grant of the Succession certificate in favour of the petitioner may be filed in this Court on or before 28-11-1979 at 10.00 A.M. otherwise the petition will be heard *ex-parte*.

Given under my hand and the seal of the Court this 18th day of October, 1979.

JANESHWAR GOYAL,
Senior Sub-Judge.

Seal.

In the Court of Shri Janeshwar Goyal, Senior Sub-Judge, Una district, Una, (Himachal Pradesh)

Succession Act case No. 7 of 1979

Shri Ram Kumar s/o Shri Kishori Lal, caste Brahman, r/o Basdehra, Tehsil and District Una .. Petitioner.

Versus

The General public.

Whereas in the above noted case the petitioner has

filed an application under Indian Succession Act in respect of the debt of Smt. Shanti Devi w/o Shri Kishori Lal deceased.

The Notice is hereby given to the general public and relation and the kinsman of the deceased that if any body has got any objection to the grant of the Succession certificate in favour of the petitioner may be filed in this Court on or before 28-11-1979 at 10.00 A.M. otherwise the petition will be heard *ex-parte*.

Given under my hand and the seal of the Court this 18th day of October, 1979.

JANESHWAR GOYAL,

Seal.

Senior Sub-Judge.

In the Court of Shri J. N. Barowalia, Sub-Judge-(I), Simla Himachal Pradesh

PROCLAMATION UNDER ORDER 5, RUEE 20 C.P.C.

Case No.

Shri Raja Hetendra Sen son of Late Raja Hemendra Sen of Chauuri Palace, Junga, Tehsil and District Simla .. Plaintiff.

Versus

1. Smt. Sheela Sen daughter of Kanwar Ranjit Singh, resident of Shakli c/o Kanwar Ranjit Singh Simla .. Defendant.

2. Tikka Joginder Sen son of Raja Hitendra Sen, Hawbuck Grange Vakil khana, Khalini, Simla-2 .. Defendants.

SUIT FOR PERPETUAL INJUNCTION

To

1. Smt. Sheela Sen daughter of Kanwar Ranjit Singh, resident of Shakli c/o Kanwar Ranjit Singh Simla .. Defendant.

Whereas in the above noted case, it has been proved to the satisfaction of this Court that the above named defendant is evading the service in the normal course of service. Hence this proclamation is hereby issued against her to appear in this Court on the date of hearing fixed for 6-11-1979 at 10.00 A.M. personally or through an authorised agent or pleader to defend the case, failing which *ex-parte* proceedings will be taken against her.

Given under my hand and the seal of this Court this 27th day of October, 1979.

J. N. BAROWALIA,
Sub-Judge 1st Class (I).

Seal.

BEFORE SHRI J. N. BAROWALIA (RENT CONTROLLER I) SIMLA HIMACHAL PRADESH

(PROCLAMATION UNDER ORDER 5, RULE 20 C.P.C.)

Case No.

In case Shri Mohan Lal Gupta and Shri Prakash Chand Gupta s/o Shri Dhani Ram Gupta, resident of 142-45 Lahori Market Building, Lower Bazar, Simla-1 .. Petitioners.

Versus

Shri Sant Ram Gupta resident of 3rd Floor Building No. 133, Krishna Nagar, Cart Road, Simla-1 .. Respondent.

Petition for eviction under sec. 14 of the H.P. Urban Rent Control Act, 1971.

To

Shri Sant Ram Gupta, resident of 3rd Floor, Building

No. 133 Kirshna Nagar, Cart Road, Simla-171001.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above named respondent is evading the service of the summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against him to appear in this court on the date fixed for hearing i.e. 19-11-1979 at 10 A.M. personally or through an authorised agent or pleader to defend the case, failing which *ex parte* proceedings will be taken against him.

Given under my hand and the seal of the court this the 26th day of October, 1979.

Seal. J. N. BAROWALIA,
Rent Controller (I) Simla.

IN THE COURT OF MRS. ARUNA KAPOOR,
SUB-JUDGE (II) SIMLA, HIMACHAL PRADESH

(PROCLAMATION UNDER ORDER 5, RULE 20 C.P.C.)

Case No. 219/1 of 1977

In case M/s Simla Coal Co. Cart Road Simla, through Shri Subhah Chand Partner and others .. Plaintiff.

Versus

M/s Gurdas Mall Amolak Ram, Char Coal Merchants The Mall Solan and others .. Defendants.

Suit for recovery of Rs. 7375.00

To

Shri Amolak Ram, Partner of M/s Gurdas Mall Amolak Ram Char Coal Merchants The Mall, Solan, Himachal Pradesh.

Whereas in the above noted case, it has proved to the satisfaction of this court that the above named defendant is evading the service of the summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against him to appear in this court on the date fixed for hearing i.e. 12-11-79 at 10 A.M. personally or through an authorised agent or pleader to defend the case, failing which *ex parte* proceedings will be taken against him.

Given under my hand and the seal of the court this 17th day of October, 1979.

Seal. ARUNA KAPOOR,
Sub-Judge,
Rent Controller II.

IN THE COURT OF MRS. ARUNA KAPOOR,
SUB-JUDGE (II) SIMLA, HIMACHAL PRADESH

(PROCLAMATION UNDER ORDER 5 RULE 20 C.P.C.)

Case No. 6/1 of 1977

In case Shri Dharam Paul s/o Shri Ram Parkash, Cloth Merchant 18/2, Tilak Nagar (Boileauganj) Simla-5 Plaintiff.

Versus

Raja Anand Chand and others .. Defendants.

SUIT FOR SPECIFIC PERFORMANCE

Raja Anand Chand of Bilaspur s/o Late Raja Vijai Chand r/o at No. I Pandit Pant Marg, New Delhi-1.

Whereas in the above noted case, it has proved to the satisfaction of this court that the above named defendant is evading the service of the summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against him to appear in this court on the date fixed for hearing i.e. 17-11-79 at 10 A.M. personally or through an authorised agent or pleader to defend the case, failing which *ex parte*

proceeding will be taken against him.

Given under my hand and the seal of the court this 16th day of October, 1979.

Seal. ARUNA KAPOOR,
Sub-Judge-II,
Simla.

न्यायालय श्री लक्ष्मण सिंह कश्यप, समाहर्ता, उप-मण्डल, सोलन, जिला सोलन
अपील माल मुकद्दमा नं० ३१/८-७९ तारीख रजुमा १-८-७९

१. मनसूख, २. किरपा राम, ३. केशव राम, पुत्रगण श्री बेली रोम, निवासी गांव शागली कलां, तहसील कसौली, जिला सोलन .. प्रार्थी ।
बनाम

१. श्री मनशा राम, २. भगवान सिंह, ३. बेली राम, ४. पद्म देव, ५. लायक राम, पुत्रगण मोहिराम, निवासी गांव सागली कलां, तहसील कसौली, जिला सोलन .. प्रतिवादीगण ।

पुनरावेदन सहायक समाहर्ता द्वितीय बर्ग कसौली की आज्ञा दिनांक २६-९-१९७९ के विरुद्ध पुनरावेदन ।

ईस्तहार अन्तर्गत आज्ञा ५ नियम २० भारतीय द०प्र०सं०

उपरोक्त अभियोग पुनरावेदन में फरीक दोयम मनशा राम, पद्म देव, तथा बेली राम, निवासी मौजा सागली कलां, तहसील कसौली, जिला सोलन को इस ईस्तहार द्वारा सूचित किया जाता है कि वह दिनांक १३-११-१९७९ को सुबह १० बजे इस अदालत में हाजिर आवे और मुकद्दमा की पैरवी करे नहीं तो एक पक्षीय निर्णय कर दिया जायेगा । क्योंकि इस अदालत हुआ से कई बार समन जारी किए जा चुके हैं जो कि बिना तामिल के ही वापिस आते रहे हैं । इसलिए अदालत को पूर्ण विश्वास हो चुका है कि फरीक दोयम उपरोक्त लिखे गये को साधारण तरीके से इतलाह होनी कठिन है, अतः इस ईस्तहार द्वारा प्रतिवादीगणों को सूचित किया जाता है कि उपरोक्त तारीख पर हाजिर आवे और मुकद्दमा की पैरवी करे ।

आज दिनांक १७-१०-१९७९ को मोहर अदालत व हमारे हस्ताक्षर से जारी हुआ

मोहर ।

लक्ष्मण सिंह कश्यप,
समाहर्ता,
उप-मण्डल, सोलन ।

न्यायालय श्री लक्ष्मण सिंह कश्यप, समाहर्ता, उप-मण्डल सोलन जिला सोलन

अपील माल मुकद्दमा नं० ३०/८-७९ तारीख रजुमा १-८-७९

१. श्री शिव राम, २. मनसा राम, ३. रती राम, ४. कली राम, ५. धर्म राम पुत्रगण, बारू राम, निवासी गांव सागली कलां, तहसील कसौली, जिला सोलन .. प्रार्थी ।

बनाम

१. श्री मनशा राम, २. भगवान सिंह, ३. बेली राम, ४. पद्म देव, ५. लायक राम पुत्रगण मोहिराम, निवासी गांव सागली कलां, तहसील कसौली, जिला सोलन .. प्रतिवादीगण ।

पुनरावेदन सहायक समाहर्ता द्वितीय बर्ग कसौली की आज्ञा दिनांक २६-९-१९७९ के विरुद्ध पुनरावेदन ।

ईस्तहार अन्तर्गत आज्ञा ५ नियम २० भारतीय द०प्र०सं०

उपरोक्त अभियोग पुनरावेदन में फरीक दोयम मनशा राम, पद्म देव, तथा बेली राम निवासी मौजा, सागली कलां, तहसील कसौली, जिला सोलन को इस ईस्तहार द्वारा सूचित किया जाता है कि वह दिनांक १३-११-१९७९ को सुबह १० बजे इस अदालत में हाजिर आवे और मुकद्दमा की पैरवी करे नहीं तो एक पक्षीय निर्णय कर दिया जायेगा । क्योंकि इस अदालत हुआ से कई बार समन जारी किये जा चुके हैं जो कि बिना तामिल के ही वापिस आते रहे हैं । इसलिए अदालत को पूर्ण विश्वास हो चुका है कि फरीक दोयम उपरोक्त लिखे गये को साधारण तरीके से इतलाह होनी कठिन है, अतः इस ईस्तहार द्वारा प्रतिवादीगणों को सूचित किया जाता है कि उपरोक्त तारीख पर हाजिर आवे और मुकद्दमा की पैरवी करे ।

आज दिनांक १७-१०-७९ को मोहर अदालत व हमारे हस्ताक्षर से जारी हुआ ।

मोहर ।

लक्ष्मण सिंह कश्यप,
समाहर्ता,
उप-मण्डल, सोलन ।

ब्रधालत श्री आई०एस० चन्देल, एच०ए०एस०, कुलैक्टर (बन्दीवस्त अधिकारी, भू-एकत्रीकरण विभाग) हिमाचल प्रदेश, हमीरपुर

केस नम्बर १/७७ एच०ए०एस०, टीका पलवल, मौजा मेवा, तहसील व जिला हमीरपुर।

श्री उत्तम चन्द पुत्र ब्रिजलाल वनाम श्रीमती प्रसिनी देवी विधवा। व सर्व श्री हेम राज, सुरिन्द्र कुमार, बिहारी लाल व सुलेख चन्द, पिसरान व श्रीमती सितमरो देवी व कमलेश देवी दुखदान बकशी राम, २. श्री ब्रिज लाल पुत्र जगोपाल, ३. श्री श्रीम प्रकाश, सत्या प्रकाश, युतन्तर कुमार पुवान ब्रिज लाल, ४. श्री रोशन लाल, पुत्र क्रिया, ५. सर्वश्री सुहृद, आत्मा राम, मुनशी राम, ईशर दास, राम प्रकाश पुवान दिवाना, ६. श्रीमती व्यासा देवी विधवा व युमाश चन्द रवि कुमार पुवान दीना नाथ हकदारान टीका नगरोटा, तहसील व जिला हमीरपुर, ७. श्री सन्त राम पुत्र उजधया दास, ८. सर्वश्री रधा राम, काशी राम, जगन नाथ, केशव राम, मिलखी राम पुवान लोहकु, हकदारान टीका पलवल, तहसील व जिला हमीरपुर, ९. श्रीमती सुबा विधवा लोहकु, १०. सर्वश्री चौधरी राम, हरनाम सिंह पुवान सर्वण सिंह, ११. श्री चेंबा पुत्र गुरदिता, १२. सर्वश्री ईन्दर सिंह, जैकिशन, भगवान सिंह पुवान मुख राम हकदारान हरयानी, तहसील व जिला हमीरपुर, १३. सर्वश्री रोशन लाल, मोहन सिंह पुवान गणपत हकदारान टीका पलवल, तहसील व जिला हमीरपुर, १४. श्री बलवीर सिंह, पुत्र सन्तु टीका पलवल, तहसील व जिला हमीरपुर, १५. धर्म पुत्र गणपत, १६. श्री शमशेर सिंह पुत्र सोहन सिंह हकदार टीका नगरोटा, तहसील व जिला हमीरपुर। रिसपोन्डेंट।

सिंह, पुत्र सन्तु टीका पलवल, तहसील व जिला हमीरपुर, १५. धर्म, पुत्र गणपत, १६. श्री शमशेर सिंह पुत्र सोहन सिंह हकदारान टीका नगरोटा, तहसील व जिला हमीरपुर। रिसपोन्डेंट।

उपरोक्त मकदमा वाला में उपरोक्त मुदायलयान के नाम कई बार समन इस अदालत से बराये परती मुकदमा जारी हुए परन्तु मुदायलयान ताहान समन की तामील से गुरेज करते आये हैं अब अदालत को यकीन हो चुका है कि मुदायलयान की तामील किसी साधारण तरीका से करवाई जाना मुश्किल है लिहाजा मुदायलयान के नाम ५ हन २० सी०पी०सी० के द्वारा लिखा जाता है कि मुदायलयान दिनांक १६-११-१९७६ को प्रातः १० बजे अमालतन या वकालतन हजर अदालत आये वसूरत गैर हजरी कार्यवाही एक तरफा अमल में लाई जावेगी।

आज दिनांक ११-१०-१९७९ को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

आई०एस० चन्देल,

कुलैक्टर बन्दीवस्त।

इस्तहार

ब्रधालत श्री राम दयाल वर्मा, नरसीनगर (सहायक मजदूरी द्वितीय श्रेणी) सुन्दर नगर, हिमाचल प्रदेश

श्री राम नाथ पुत्र कन्हू कोला, नकना समकन ... प्रायों।

बनाम

न० पुर्तु वेवा वाञ्छ राजपू, नकना खन्दाइ ... प्रत्यायी।

दरखास्त नजरसानी हुकम बजरिया इन्काल नं० 196
यताये हकूक मनकियत बनाम न० पुर्तु मिति 11-7-75,
मुमि मन्जरी खेवट खतोमि नं० 2/8 समरा नं० 249
व 251 रकवा तादादी 7-8-0 बोपे वाकवा मुहाल
वांगल।

हरगाह दरखास्त उपरोक्त अनुदान में पुर्तु प्रत्यायी मिति 7-1-73 को फीत हो चुकी है। उमका कोई भी वारीन आवचीन करने पर भी ततवीक नहीं हो रहा है। इस प्रकार अदालत को पूर्ण विश्वास हो गया है कि उसके वारयन साधारण तरीके से तमदीक नहीं हो सकते।

अतः इस इस्तहार द्वारा हर खाम व ग्राम को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त दरखास्त के सम्बन्ध में कोई उजर या एतराज हो तो वह अमालतन यथया वकालतन हमारी अदालत मुकाम सुन्दरनगर में मिति 23-10-79 को प्रातः 10.00 बजे उपस्थित हो कर परती दरखास्त हजर करे अन्यथा कार्यवाही यकारता अमल में लाई जावेगी।

आज मिति 23-10-79 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

राम दयाल वर्मा

मजदूर कुलैक्टर, हिमाचल प्रदेश

सुन्दर नगर जिला नगरी (हिमाचल)

ब्रधालत श्री आई०एस० चन्देल, एच०ए०एस०, कुलैक्टर (बन्दीवस्त अधिकारी, भू-एकत्रीकरण विभाग) हिमाचल प्रदेश, हमीरपुर

केस नं० २/७७, एच०ए०एस०, टीका पलवल, मौजा मेवा, तहसील व जिला हमीरपुर।

श्री उत्तम चन्द पुत्र ब्रिजलाल, टीका नगरोटा तप्पा मेवा, तहसील व जिला हमीरपुर

बनाम

श्रीमती प्रसिनी देवी विधवा सर्वश्री हेमराज व सुरिन्द्र कुमार, बिहारी लाल व सुलेख चन्द पिसरान व श्रीमती सितमरो देवी व कमलेश देवी दुखदान बकशी राम, २. श्री ब्रिज लाल पुत्र जगोपाल, ३. श्री श्रीम प्रकाश, सत्या प्रकाश, सुतन्तर कुमार, पुवान ब्रिजलाल, ४. श्री रोशन लाल पुत्र क्रिया, ५. सर्वश्री सुहृद, आत्मा राम, मुनशी राम, ईशर दास, राम प्रकाश पुवान दिवाना, ६. श्रीमती व्यासा देवी विधवा व युमाश चन्द, रवि कुमार पुवान दीना नाथ हकदारान टीका नगरोटा तहसील व जिला हमीरपुर, ७. श्री सन्त राम पुत्र उजधया दास, ८. सर्वश्री रधा राम, काशी राम, जगन नाथ, केशव राम, मिलखी राम, पुवान लोहकु हकदारान टीका पलवल तहसील व जिला हमीरपुर, ९. श्रीमती सुबा, विधवा लोहकु, १०. सर्वश्री चौधरी राम, हरनाम सिंह पुवान सर्वण सिंह, ११. श्री चेंबा पुत्र गुरदिता, १२. सर्वश्री ईन्दर सिंह, जय किशन भगवान सिंह पुवान मुख राम, हकदारान हरयानी तहसील व जिला हमीरपुर, १३. सर्वश्री रोशन लाल मोहन सिंह पुवान गणपत, हकदारान टीका पलवल, तहसील व जिला हमीरपुर, १४. श्री बलवीर

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT

NOTIFICATION

Assented to on 25th May, 1979

Simla-171002, the 28th September, 1979

No. LLR-E (9)-10/79.—The following Acts recently passed by the Parliament which have already been published in the Gazette of India, Extra ordinary, Part II, Section I, are hereby republished in the Himachal Pradesh Government Rajpatra, for the information of general public:—

Sl. No.	Title	Date of assent	Date of the Gazette of India (Extraordinary) Part II, Section I in which the Acts were published
1.	The Goa, Daman and Diu Appropriation (Second Vote on Account) Act, 1979 (No. 25 of 1979).	25-5-79	26-5-79
2.	The Estate Duty (Distribution) (Amendment) Act, 1979 (No. 26 of 1979).	25-5-79	26-5-79
3.	The Salary, Allowances and Pensions of Members of Parliament (Amendment) Act, 1979 (No. 26 of 1979).	25-5-79	26-5-
4.	The Kosangas Company (Acquisition of Undertakings) Act, 1969 (No. 28 of 1979).	26-5-79	26-5-79
5.	The Parel Investments and Trading Private Limited and Domestic Gas Private Limited (Taking Over of Management) Act, 1979 (No. 29 of 1979).	26-5-79	26-5-79
6.	The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Act No. 30 of 1979).	11-6-79	12-6-79
7.	The Haryana and Uttar Pradesh (Alteration of Boundaries) Act, 1979 (Act No. 31 of 1979).	11-6-79	12-6-79

G. S. CHAUHAN,
Under Secretary (Law).

THE GOA- DAMAN AND DIU APPROPRIATION (SECOND VOTE ON ACCOUNT) ACT, 1979.

(ACT NO 25 OF 1979)

AN

ACT

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services of a part of the financial year 1979-80.

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Goa, Daman and Diu Appropriation (Second Vote on Account) Act, 1979.

2. *Withdrawal of Rs. 44,58,12,000 out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the financial year 1979-80.*—From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 5 of the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Act, 1979 (Goa Act 3 of 1979),] to the sum of forty-four crores, fifty-eight lakhs and twelve thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1979-80.

3. *Appropriation.*—The sums authorised to be withdrawn from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

No. of Vote/ Appropriation	Services and purposes	Sums not exceeding		
		Voted	Charged on the Consolidated Fund	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
1.	Union Territory Legislature and Elections	5,75,000	23,000	5,98,000
2.	Miscellaneous General Services	62,50,000	2,79,000	65,29,000
3.	Administration of Justice	11,91,000	3,02,000	14,93,000
4.	Land Revenue, Stamps and Registration	12,45,000	..	12,45,000
5.	State Excise, Sales Tax and other Taxes and Duties	16,64,000	..	16,64,000
6.	Taxes on Vehicles	3,09,000	..	3,09,000
7.	Police and Fire Services	94,41,000	..	94,41,000
8.	Jails	6,83,000	..	6,83,000
9.	Stationary and Printing	15,75,000	..	15,75,000
10.	Other General Services	6,60,000	..	6,60,000
11.	Pension	44,33,000	..	44,33,000
12.	Public Works, Housing and Urban Development	1,70,77,000	32,000	1,71,09,000
	Capital	2,24,67,000	..	2,24,67,000

1	2	3	4	5
		Rs.	Rs.	Rs.
13. Roads and Bridges	Revenue	79,39,000	..	79,39,000
	Capital	1,27,10,000	..	1,27,10,000
14. Education, Art and Culture	Revenue	6,17,58,000	..	6,17,58,000
	Capital	10,12,000	..	10,12,000
15. Medical, Family Welfare and Public Health, Sanitation and Water Supply	Revenue	3,87,26,000	..	3,87,26,000
	Capital	1,61,00,000	..	1,61,00,000
16. Information and Publicity	Revenue	8,93,000	..	8,93,000
17. Labour and Employment	Revenue	34,02,000	..	34,02,000
18. Social Security and Welfare, Relief on account of National Calamities and Food	Revenue	41,24,000	..	41,24,000
	Capital	5,25,85,000	..	5,25,85,000
19. Co-operation and Community Development	Revenue	47,99,000	..	47,99,000
	Capital	34,33,000	..	34,33,000
20. Other Economic Services and Mines and Minerals	Revenue	19,76,000	..	19,76,000
21. Agriculture and Allied Services	Revenue	2,11,63,000	..	2,11,63,000
	Capital	2,24,24,000	..	2,24,24,000
22. Irrigation and Power Projects	Revenue	4,08,33,000	..	4,08,33,000
	Capital	5,57,93,000	..	5,57,93,000
23. Industries	Revenue	33,34,000	..	33,34,000
	Capital	73,21,000	..	73,21,000
24. Road and Water Transport Services (including Ports)	Revenue	32,68,000	..	32,68,000
	Capital	7,19,000	..	7,19,000
25. Tourism	Revenue	18,08,000	..	18,08,000
	Capital	78,75,000	..	78,75,000
26. Loans and Advances by Union territory Government	Capital	36,11,000	..	36,11,000
	Total	44,51,76,000	6,36,000	44,58,12,000

Assented to on 25-5-1979.

THE ESTATE DUTY (DISTRIBUTION) AMENDMENT ACT, 1979

(ACT No. 26 OF 1979)

AN

ACT

further to amend the Estate Duty (Distribution) ac), 1962.

BE it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Estate Duty (Distribution) Amendment Act, 1979.

(2) It shall be deemed to have come into force on the 1st day of April, 1979.

2. *Amendment of long title of Act 9 of 1962.*—In the long title of the Estate Duty (Distribution) Act, 1962 (hereinafter referred to as the principal Act), for the figures "1973", the figures "1978" shall be substituted.

3. *Substitution of new section for section 3.*—For section 3 of the principal Act, the following section shall be substituted, namely:—

3. *Distribution of net proceeds of estate duty assigned to the States.*—(1) During each of the financial years commencing on and after the 1st day of April, 1979, the net proceeds of estate duty levied and collected during that financial year shall, after deducting therefrom the net proceeds attributable to Union territories, be distributed among the States in proportion to the gross value of all property situated in the respective States and brought into assessment in that financial year.

(2) For the purposes of this section,—

(a) "gross value", in relation to property, means the total value of all property passing on the death of any person as determined by the Controller under the Estate Duty Act, 1953 (34 of 1953);

(b) "net proceeds" includes the estate duty the payment whereof has been accepted in accordance with the provisions of section 52 of the Estate Duty Act, 1953 (34 of 1953);

(c) "net proceeds attributable to Union territories" means the portion of net proceeds which bears to the total net proceeds in any financial year the same proportion which the gross value of all property situated in all the Union territories and brought into assessment in that financial year bears to the total gross value of all property brought into assessment in that year;

(d) "Property" does not include agricultural land;

(e) any property situated outside India shall be deemed to be situated in the State or, as the case may be, the Union territory wherein the value of such property has been brought into assessment."

Assented to on 25-5-1979.

THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 1979

(ACT No. 27 OF 1979)

AN

ACT

further to amend the Salary, Allowances and Pension of Members Parliament Act, 1954.

BE it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1979.

2. *Insertion of new section 6D.*—In the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954), after section 6C, the following section shall be inserted, namely:—

"6D. Special facility to blind and physically incapacitated members.—A member who is blind or who is, in the opinion of the Chairman of the Council of States or, as the case may be, the Speaker of the House of the People, so incapacitated physically as to require the facility of an attendant shall, with respect to each such journey by air as is referred to in clause (b) of sub-section (1) of section 4 or clause (d) of sub-section (1) of section 5 or section 6C which he performs along with an attendant, be entitled (in addition to the allowances which he is entitled under section 4 or section 5 or, as the case may be, section 6C) to an amount equal to one fare by air for such journey."

Assented to on 26-5-1979.

THE KOSANGAS COMPANY (ACQUISITION OF UNDERTAKING) ACT, 1979

(ACT No. 28 OF 1979)

AN ACT

to provide for the acquisition, in the public interest, of the undertaking of the Kosangas company and thereby to secure that the ownership and control of the means and resources for bottling, transporting, marketing and distribution of liquefied petroleum gas are so distributed as best to subserve the common good and for matters connected therewith or incidental there to.

WHEREAS the undertakings in India of Esso Eastern Inc., a foreign company, have vested in the Hindustan Petroleum Corporation Limited [a Government company within the meaning of the Companies Act, 1956 (1 of 1956)] under the Esso (Acquisition of Undertakings in India) Act, 1974 (4 of 1974);

AND WHEREAS the agreement entered into by the Esso standard Eastern Inc., on the 5th day of September, 1967, with the Kosangas company then a partnership concern (whereby the former appointed the latter as distributors in certain areas for sale of its liquefied petroleum gas, packed in cylinders, to domestic, commercial and industrial customers), as continued by sub-section (1) of section 13 of the Esso (Acquisition of Undertakings in India) Act, 1974 (4 of 1974), and modified under sub-section (2) of that section, expired on the 4th day of September, 1977;

AND WHEREAS it is expedient in the public interest to acquire the undertaking of the said Kosangas company;

AND WHEREAS such acquisition is for giving effect to the policy of the State towards securing the principle specified in clause (b) of article 39 of the Constitution as the ownership and control of the material resources of the community, to wit, the means and resources aforesaid, would be reason of such acquisition become vested in the State and thereby so distributed and utilized as best to subserve the common good;

BE it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Kosangas Company (Acquisition of Undertakings) Act, 1979.

(2) It shall come into force at once.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "appointed" day means the date on which this Act comes into force;

(b) "Government company" has the meaning assigned to it by section 617 of the Companies Act, 1956 (1 of 1956);

- (c) "Kosangas company" means the partnership firm registered under the Indian Partnership Act, 1932 (9 of 1932), with head office at 53/57, Lakshmi Insurance Buildings, Sir Phirozashah Mehta Road, Bombay-1, as it existed immediately before its dissolution on the 5th September, 1977;
- (d) "liquefied petroleum gas" has the same meaning as in sub-item (2) Item No. 11 A of the First Schedule to the Central Excises and Salt Act, 1944 (1 of 1944);
- (e) "the undertaking" means the undertaking in India of the Kosangas company the right, title and interest in which have, on the dissolution of that firm, vested in Gocul Gas Private Limited as sole proprietor thereof.

CHAPTER II

ACQUISITION OF THE UNDERTAKING IN KOSANGAS COMPANY

3. *Transfer and vesting in the Central Government of the undertaking.*—(1) On the appointed day, the right, title and interest of Gocul Gas Private Limited, in relation to the undertaking, shall stand transferred to, and vest in, the Central Government free from all encumbrances.

(2) The undertaking referred to in sub-section (1) shall be deemed to include all assets, rights, leaseholds, power, authorities and privileges and all property, movable and immovable, including lands, buildings, works, workshops, accommodation, shops and godowns, projects, stores, gas cylinders, quota rights, facilities for bottling and filling liquefied petroleum gas and transporting, marketing and distribution thereof in bulk and in cylinders, regulators, valves, machinery, locomotives, automobiles, tank lorries, tank wagons, and other vehicles, liquefied petroleum gas in process or in stock or in transit, bank balances, cash balances, reserve funds, investments, book debts and all other rights and interests in or arising out of such property as were, immediately before the appointed day, in the ownership, possession, power or control of Gocul Gas Private Limited in its own name or in the name of Kosangas company in relation to or concerning the undertaking in India and all books of accounts, registers, records, correspondence files, instruments (including agreements with dealers, sub-dealers and customers), assurances, maps, plans, sections, drawings, records of survey and all other documents of whatever nature relating thereto and shall also be deemed to include the liabilities specified in sub-section (2) of section 4 but shall not be deemed to include—

- (a) the trade marks of Kosangas company or designs registered in India in the name of Kosangas company;
- (b) any business carried on by Kosangas company or Gocul Gas Private Limited (including the assets and stock in trade forming part of that business) other than that relating to the bottling, filling, transporting, marketing and distribution of liquefied petroleum gas.

(3) All property included as aforesaid in the undertaking which has vested in the Central Government under sub-section (1) shall, by virtue of such vesting, be freed and discharged from any trusts, obligations, mortgages, charges, liens and other encumbrances affecting it, and any attachment, injunction or any decree or order of any court restricting the use of such property in any manner shall be deemed to have been withdrawn.

(4) If, on the appointed day, any suit, appeal or other proceeding of whatever nature (which, under the provisions of this Act, could be instituted by or against the Central Government) in relation to the undertaking which has been transferred to, and vested in, the Central Government, is pending, by or against Gocul Gas Private Limited or Kosangas company, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertaking or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted and enforced by or against the Central Government.

4. *Gocul Gas Private Limited and Kosangas company to be liable for certain prior liabilities.*—(1) All liabilities, other than the liabilities specified in sub-section (2), of Gocul Gas Private Limited or of Kosangas company or its partners in or in relation to the undertaking in respect of any period prior to the appointed day shall be the liabilities of Gocul Gas Private Limited or of Kosangas company or its partners, as the case may be, and shall be enforceable against it or them and not against the Central Government.

(2) Any liability of the undertaking arising in respect of—

- (i) deposits collected from consumers for use of gas cylinders and pressure regulators, and from agents, and
- (ii) provision for gratuity to officers and employees employed in or in connection with the undertaking, and current liabilities relating to sundry creditors and accrued expenses of the undertaking shall, on and from the appointed day, be the liabilities of the Central Government and shall be discharged by the Central Government.

(3) For the removal of doubts, it is hereby declared that,—

- (a) save as otherwise expressly provided in this section or in any other section of this Act, no liabilities other than the liabilities specified in sub-section (2), in relation to the undertaking in respect of any period prior to the appointed day, shall be enforceable against the Central Government;
- (b) no award, decree or order of any court, tribunal or other authority or any settlement in relation to the undertaking passed after the appointed day in respect of any matter, claim or dispute, in relation to any matter not referred to in sub-section (2), which arose before that day, shall be enforceable against the Central Government;
- (c) no liability of the undertaking or of Gocul Gas Private Limited and Kosangas company or its partners for the contravention, before the appointed day, of any provision of law for the time being in force, shall be enforceable against the Central Government;
- (d) no liability of Gocul Gas Private Limited or Kosangas company to the Directors of Gocul Gas Private Limited or to the partners of Kosangas company, and no liability for income-tax of Gocul Gas Private Limited, or of Kosangas company or the partners of Kosangas company, whether or not any such liability relates to the undertaking, shall be enforceable against the Central Government.

5. *Special provisions as to certain rights and interests held before the appointed day.*—(1) Every right or interest in respect of any property (including a right under any lease or under any right of tenancy or any right under any arrangement by agreement or otherwise to secure any premises or cylinders, regulators, valves or other goods for any purpose) held by Gocul Gas Private Limited immediately before the appointed day, shall, notwithstanding contained in any other law or any agreement or instrument relating to such right or interest, vest in, and be held by, the Central Government on and after the appointed day on the same terms and conditions on which Gocul Gas Private Limited would have held it if no negotiations had taken place for acquisition of the undertaking by the Central Government or, as the case may be, if this Act had not been passed.

(2) If at any time after the 2nd day of September, 1977 (being the date on which the Central Government's policy for acquiring the undertaking was made known) and before the appointed day, Kosangas company or Gocul Gas Private Limited surrendered or otherwise relinquished or created any right or interest in respect of any property (including a right under any lease for under any right of tenancy or a right under any arrangement by agreement or otherwise to secure any premises or any cylinders, regulators, valves or other goods for any purpose), then, for the purposes of this Act, notwithstanding anything contained in any other law or any agreement or instrument relating to such right or interest,

the Central Government shall, on and after the appointed day, be entitled to such right or interest on the same terms and conditions on which Kosangas company or Gocul Gas Private Limited would have been entitled to such right or interest if it had not surrendered or otherwise relinquished or created such right or interest and this Act had not been passed:

Provided that nothing in this sub-section shall apply to any right or interest surrendered or otherwise relinquished or created by Kosangas company or Gocul Gas Private Limited before the appointed day for sufficient monetary consideration.

(3) On the expiry of the term of any lease, tenancy or arrangement referred to in sub-section (1) or sub-section (2), such lease or tenancy or arrangement shall, if so desired by the Central Government, be renewed or continued so far as may be on the same terms and conditions on which the lease or tenancy or arrangement was originally granted or entered into.

6. *Removal of doubts.*—(1) For the removal of doubts, it is hereby declared that the provisions of section 3, 4 and 5 shall apply to the extent to which any property appertains to the undertaking, and to the rights and powers acquired, and to debts, liabilities and obligations incurred, and to contracts, agreements and other instruments made by Kosangas company or Gocul Gas Private Limited for the purpose of the undertaking and to legal proceedings relating to those matters pending in any court or tribunal.

(2) If any question arises as to whether any property appertained, immediately before the appointed day, to the undertaking or whether any rights, powers, debts, liabilities or obligations were acquired or incurred or any contract, agreement or other instrument was made by Kosangas company or Gocul Gas Private Limited for the purposes of the undertaking or whether any documents relate to those purposes, or whether the provisions of section 5 apply in relation to any property, the question shall be referred to the Central Government which shall, after giving a reasonable opportunity of being heard to the persons interested in the matter, decide it in such manner as it may think fit.

7. *Power of Central Government to direct vesting of undertaking in a Government company.*—(1) Notwithstanding anything contained in sections 3, 4, 5 and 6, the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification in the Official Gazette, that the right, title and interest and the liabilities specified in sub-section (2) of section 4 in relation to the undertaking shall, instead of continuing to vest in the Central Government, vest in the Government company either on the date of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) When the right, title and interest and the liabilities in relation to the undertaking vest a Government company under sub-section (1), all the rights and liabilities of the central Government in relation to the undertaking shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of the Government company.

(3) The provisions of sections 3, 4, 5 and sub-section (1) of section 6 shall, so far as may be, apply in relation to such Government company as they apply in relation to the Central Government and for this purpose references therein to the "Central Government" shall be construed as references to such Government company.

CHAPTER III

PAYMENT OF AMOUNT

8. *Payment of amount.*—For the transfer to, and vesting in, the Central Government, under section 3, of the undertaking, the Central Government shall pay

to Cocul Gas Private Limited an amount of rupees ten thousand.

CHAPTER IV

PROVISIONS RELATING TO EMPLOYEES

9. *Transfer of services of existing employees.*—(1) Every whole-time officer or other employee who was, immediately before the appointed day, employed in or in connection with the undertaking shall, on the appointed day, become an officer or employee, as the case may be, of the Central Government or the Government company referred to in section 7 (hereinafter referred to as the successor Government company) and shall hold his office by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to gratuity and other matters as would have been admissible to him, if this Act had not been passed and if there had been no vesting of the undertaking and shall continue to do so unless and until his employment under the Central Government or successor Government company is duly terminated or until his remuneration, terms and conditions of service are duly altered by the Central Government or the successor Government company, as the case may be.

(2) If any question arises as to whether any person was whole-time officer or other employee in or in connection with the undertaking immediately before the appointed day, the question shall be referred, within a period of one year from the appointed day, to the Central Government which shall, after giving a reasonable opportunity of being heard to the person concerned in the matter, decide it in such manner as it thinks fit and such decision shall be final.

(3) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947) or any other law for the time being in force, the transfer of the services of any officer or other employee, employed in or in connection with the undertaking, to the Central Government shall not entitle any such officer or other employee to any compensation under that Act or any other law and no such claim shall be entertained by any court, tribunal or other authority.

10. *Provident and other funds.*—(1) Where Gocul Gas Private Limited or Kosangas company has established a provident fund, superannuation, welfare or other fund for the benefit of the persons employed in the undertaking, the monies relating to the officers or other employees, whose services have been transferred by or under this Act to the Central Government or the successor Government company shall, out of the monies standing, on the appointed day, to the credit of such provident fund, superannuation, welfare or other fund, stand transferred to, and vest in, the Central Government or the successor Government company, as the case may be.

(2) The monies which stand transferred under sub-section (1) to the Central Government or the successor Government company, as the case may be, shall be dealt with by the Government or successor Government company in accordance with such scheme as the Central Government may make in this behalf.

11. *Contracts to continue unless terminated by Central Government.*—(1) Every contract entered into before the appointed day between Gocul Gas Private Limited or Kosangas company in relation to the undertaking for any service, sale or supply and in force immediately before the appointed day, shall, unless terminated under sub-section (2) within a period of two years from the appointed day, continue to be of full force and effect against or in favour of the Central Government or, as the case may be, the successor Government company.

(2) The Central Government may, if it is satisfied that any contract referred to in sub-section (1) has been entered into in bad faith or is detrimental to the interests of the Central Government or the successor Government company, it may make an order terminating or modifying (either unconditionally or subject to such conditions

as it may think fit to impose for the purpose) the contract and thereafter the contract shall have effect accordingly:

Provided that no contract shall be terminated or modified by the Central Government except after giving to the parties to the contract a reasonable opportunity of being heard and except after recording in writing its reasons for such termination or modification.

CHAPTER V

MISCELLANEOUS

12. *Effect of Act on other laws.*—The provisions of this Act and any notification, order or rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court, tribunal or other authority.

13. *Duty to deliver possession of properties, etc.*—(1) Where any property appertaining to the undertaking has been transferred to, and vested in, the Central Government or the successor Government company under this Act,—

- every person in whose possession, custody or control any such property may be, shall, on a demand by the Central Government or the successor Government company, as the case may be, deliver the property to the Central Government or the successor Government company, as the case may be, forthwith;
- any person who, immediately before such vesting, has, in his possession, custody or control, any books, documents or other papers relating to the undertaking, shall be liable to account for the said books, documents and papers to the Central Government or the successor Government company, as the case may be, and shall deliver them up to the Central Government or that company or to such person as the Central Government or that company may authorise in this behalf.

(2) Without prejudice to the other provisions contained in this section, it shall be lawful for the Central Government or the successor Government company to take all necessary steps for taking possession of all properties, which have been transferred to and vested in it under this Act.

14. *Penalties.*—Any person who,—

- having in his possession, custody or control any property forming part of the undertaking wrongfully withholds such property from the Central Government or the successor Government company; or
- wrongfully obtains possession of, or retains, any property forming part of the undertaking; or
- wrongfully withholds or fails to furnish to the Central Government or the successor Government company or any person authorised in this behalf by the Central Government or that company, any books, documents or other papers relating to the undertaking which may be in his possession, custody or control; or
- fails to deliver to the Central Government or the successor Government company, any assets, books of account, registers or other documents in his possession, custody or control relating to the undertaking; or
- wrongfully removes or destroys any property forming part of the undertaking; or
- wrongfully uses any property forming part of the undertaking,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

15. *Offences by companies.*—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and

shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director", in relation to a firm, means a partner in the firm.

16. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Government or the successor Government company or any of the officers or other employees of that Government or company for anything which is in good faith done or intended to be done under this Act.

17. Cognizance of offences.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), no court shall take cognizance of any offence against this Act except on a complaint, in writing, made by the Central Government or any officer authorised in this behalf by that Government.

18. Indemnity.—Every officer of the Central Government and every officer or other employee of the successor Government company shall be indemnified by the Central Government or the successor Government company, as the case may be, against all losses and expenses incurred by him in, or in relation to, the discharge of his duties under this Act, except such as have been caused by his own wilful act or default.

19. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

20. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Assented to on 26-5-1979.

THE PAREL INVESTMENTS AND TRADING PRIVATE LIMITED AND DOMESTIC GAS PRIVATE LIMITED (TAKING OVER OF MANAGEMENT) ACT, 1979

(ACT No. 29 OF 1979)

AN

ACT

to provide for the taking over in the public interest, of the management of the undertakings of the Parel Investments and Trading Private Limited and the Domestic Gas Private Limited, pending acquisition of those undertakings, with a view to maintaining a service essential to the life of the community, namely, the bottling, transporting, marketing and distributing of liquefied petroleum gas, and for matters connected therewith or incidental thereto.

WHEREAS the undertakings in India of Caltex (India) Limited, a foreign company, had vested in Caltex Oil Refining (India) Limited, a Government company within the meaning of the Companies Act, 1956 (1 of 1956), under the Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Act, 1977 (17 of 1977);

AND WHEREAS the agreement dated the 23rd November, 1970, entered into by Caltex (India) Limited with the East Coast Gas Company, a partnership firm which has since been taken over by Parel Investments and Trading Private Limited, under which Caltex (India) Limited appointed the East Coast Gas Company as distributors for sale of its liquefied petroleum gas packed in cylinders, to domestic, commercial and industrial customers, in certain areas, has terminated on the 31st December, 1978:

AND WHEREAS the agreement dated the 23rd November, 1970, entered into by Caltex (India) Limited with Domestic Gas Private Limited, under which the former appointed the latter as distributors for sale of its liquefied petroleum gas packed in cylinders, to domestic, commercial and industrial customers, in certain areas, has terminated on the 31st December, 1978:

AND WHEREAS by an order issued by the Company Law Board on the 9th May, 1978, the aforementioned Caltex Oil Refining (India) Limited has been amalgamated with Hindustan Petroleum Corporation Limited:

AND WHEREAS for giving effect to the policy of the State towards securing the principle specified in clause (d) of article 39 of the Constitution, it is proposed to acquire the undertakings of Parel Investments and Trading Private Limited and Domestic Gas Private Limited so that the means and resources as to bottling, transporting, marketing and distribution of liquefied petroleum gas of the said undertakings become vested in the State and thereby are so distributed as best to subserve the common good:

AND WHEREAS pending the acquisition of the undertakings of Parel Investments and Trading Private Limited and Domestic Gas Private Limited with a view to the nationalisation of the business of bottling, transporting, marketing and distribution of liquefied petroleum gas hitherto carried on by them, it is expedient in the public interest to takeover the management of the said undertakings:

BE it enacted by Parliament in the Thirtieth year of the Republic of India as follows:—

CHAPTER

PARLIAMENTARY

1. Short title and commencement.—(1) This Act may be called the Parel Investments and Trading Private

Limited and Domestic Gas Private Limited (Taking Over of Management) Act, 1979.

(2) It shall come into force at once.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

- (a) "appointed day" means the date on which this Act comes into force;
- (b) "Custodian" means the Government company appointed under section 4 to take over the management of the undertaking of each of the two companies;
- (c) "Government company" has the meaning assigned to it by section 617 of the Companies Act, 1956 (1 of 1956);
- (d) "liquefied petroleum gas" has the same meaning as in sub-item (2) of item No. 11A of the First Schedule to the Central Excises and Salt Act, 1944 (1 of 1944);
- (e) "notification" means a notification published in the Official Gazette;
- (f) "the two companies" means—
 - (i) Parel Investments and Trading Private Limited, a company within the meaning of the Companies Act, 1956 (1 of 1956), having its registered office at 53/57, Lakshmi Insurance Buildings, Sir Phirozshah Mehta Road, Bombay-1;
 - (ii) Domestic Gas Private Limited, a company within the meaning of the Companies Act, 1956 (1 of 1956), having its registered office at 3464, Rashtrapathi Road, Secunderabad.

CHAPTER II

TAKING OVER OF MANAGEMENT OF THE UNDERTAKING OF THE TWO COMPANIES;

3. *Management of the undertakings of the two companies to vest in Central Government.*—(1) On and from the appointed day, the management of the undertaking of each of the two companies shall vest in the Central Government.

(2) The undertaking of each of the two companies shall be deemed to include all assets, rights, leaseholds, powers, authorities and privileges and all property, movable and immovable, including lands, buildings, works, workshops, accommodation, shops and godowns, projects, stores, gas cylinders, facilities for bottling and filling liquefied petroleum gas and transposing, marketing and distribution thereof in bulk and in cylinders, regulators, valves, machinery, locomotives, automobiles, tank lorries, tank wagons, and other vehicles, liquefied petroleum gas in process or in stock or in transit, bank balances, cash balances, reserve funds, investments, book debts and all other rights and interests in or arising out of such property as were, immediately before the appointed day, in the ownership, possession, power or control of the concerned company in relation to or concerning the undertaking in India, and all books of accounts, registers, records, correspondence files, instruments (including agreements with dealers, sub-dealers and customers), assurances, maps, plans, sections, drawings, records of survey and all other documents of whatever nature relating thereto.

(3) Any contract, whether express or implied, or other arrangement in so far as it relates to the management of the business and affairs of each of the two companies in relation to its undertaking and in force immediately before the appointed day, shall be deemed to have terminated on the appointed day.

(4) All persons in charge of the management including persons holding offices as directors, managers or any other managerial personnel of each of the two companies immediately before the appointed day shall be deemed to have vacated their offices as such on the appointed day.

(5) Notwithstanding anything contained in any other law for the time being in force, no person in respect of whom any contract of management or other arrangement

is terminated by reason of the provisions contained in sub-section (3) or who ceases to hold any office by reason of the provisions contained in sub-section (4), shall be entitled to claim any compensation for the premature termination of the contract of management or other arrangement or for the loss of office, as the case may be.

4. *Appointment of Custodian to take over management of the undertakings of the two companies.*—(1) The Central Government shall, as from the appointed day, appoint Hindustan Petroleum Corporation Limited, a Government company, as the Custodian of the undertaking of each of the two companies for the purpose of taking over the management thereof, and the Custodian shall carry on the management of the undertaking of each of the two companies for and on behalf of the Central Government.

(2) The Central Government may issue such directions (including directions as to initiating, defending or continuing any legal proceedings before any court, tribunal or other authority) to the Custodian as to its powers and duties as the Central Government deems desirable and the Custodian may apply to the Central Government at any time for instructions as to the manner in which the Custodian shall conduct the management of the undertaking of each of the two companies or in relation to any matter arising in the course of such management.

(3) Subject to the provisions of this Act and to the control of the Central Government, the Custodian shall be entitled, notwithstanding anything contained in the Companies Act, 1956 (1 of 1956), to exercise all the powers of the Board of Directors of the two companies (including the power to dispose of any properties or assets of the two companies) whether such powers are derived from the Companies Act, 1956, or from the memorandum and articles of association of either of the two companies or from any other source.

(4) Any person having possession, custody or control of any property forming part of the undertaking of either of the two companies, shall, on demand, deliver forthwith such property to the Custodian or to any such person as may be authorised by the Custodian or the Central Government in this behalf.

(5) If any person fails or refuses to comply with any demand made under sub-section (4) for the delivery of any property, the Custodian or any person authorised under the said sub-section may take possession of that property and may, for that purpose, use such reasonable force as may be necessary.

(6) Any person who, on the appointed day, has in his possession or under his control any books, papers or other documents relating to the undertaking of either of the two companies, including the minutes books containing the resolutions of the persons in charge of the management thereof before the appointed day, the current cheque books relating to the undertaking of such company, any letters, memoranda, notes or other communications between him and such company, shall, notwithstanding anything contained in any other law for the time being in force, be liable to account for the books, papers and other documents (including such minutes books, cheque books, letters, memoranda or other communications) to the Custodian and shall deliver them up to the Custodian or to any such person as may be authorised by the Custodian or the Central Government in this behalf.

(7) Every person in charge of the management of the undertaking of either of the two companies immediately before the appointed day, shall, within ten days from the appointed day or within such further period as the Central Government may allow in this behalf, furnish to the Custodian a complete inventory of all the properties and assets (including particulars of book debts and investments and belongings) forming part of such undertaking immediately before the appointed day and of all the liabilities and obligations of such company in

relation to its undertaking subsisting immediately before that day and any other information relating to the undertaking of such company which the Custodian may require in this behalf and also of all agreements entered into by such company in relation to its undertaking and in force immediately before that day.

(8) The Custodian shall receive from the funds of the undertaking of each of the said companies such remuneration as the Central Government may fix.

5. *Payment of amount.*—(1) Each of the two companies shall be given by the Central Government an amount, in cash, for vesting in it, under section 3, of the management of the undertaking thereof.

(2) For every month during which the management so vests in the Central Government, the amount referred to in sub-section (1) shall be a sum of rupees seven hundred and fifty in the case of the Parel Investments and Trading Private Limited and rupees two hundred and fifty in the case of the Domestic Gas Private Limited.

CHAPTER III

MISCELLANEOUS

6. *Application of Act 1 of 1956.*—(1) Notwithstanding anything contained in the Companies Act, 1956, or in the memorandum or articles of association of either of the two companies, so long as the management of the undertakings of the two companies, remains vested in the Central Government,—

- (a) it shall not be lawful for the shareholders of either of the two companies or any other person to nominate or appoint any person to be a director of such company;
- (b) no resolution passed at any meeting of the shareholders of either of the two companies on or after the appointed day shall be given effect to unless approved by the Central Government;
- (c) no proceeding for the winding up of either of the two companies or for the appointment of a liquidator or receiver in respect thereof shall lie in any court except with the consent of the Central Government.

(2) Subject to the provisions contained in sub-section (1), and to the other provisions contained in this Act and subject to such other exceptions, restrictions and limitations, if any, as the Central Government may, by notification, specify in this behalf, the Companies Act, 1956 (1 of 1956), shall continue to apply to the two companies in the same manner as it applied thereto before the appointed day.

7. *Penalties.*—(1) Any person, who—

- (a) having in his possession, custody or control any property forming part of the undertaking of any of the two companies, wrongfully withholds such property from the Custodian or any person authorised under this Act for the purpose, or
- (b) wrongfully obtains possession of any such property, or
- (c) wilfully and without lawful excuse, retains any property of the undertaking of any of the two companies or removes or destroys it, or
- (d) wilfully withholds or fails to deliver any books, papers or other documents which may be in his possession or under his control to the Custodian or any person authorised under this Act for the purpose, or
- (e) fails, without reasonable cause, to furnish information or particulars as provided in sub-section (7) of section 4,

shall be punishable with imprisonment for term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

(2) No court shall take cognizance of an offence punishable under this section except with the previous sanction

of the Central Government or of an officer authorised by the Central Government in this behalf.

8. *Offences by companies.*—(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of, any director, manager, secretary, or other officer or the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director", in relation to a firm, means a partner in the firm.

9. *Exclusion of period of operation of Act.*—In computing the period of limitation prescribed by law for the time being in force for any suit or application against any person by either of the two companies in respect of any matter arising out of any transaction in relation to the undertaking of such company, the time during which this Act is in force shall be excluded.

10. *Act to have overriding effect.*—The provisions of this Act or any notification, order or rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any law other than this Act or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court.

11. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceedings shall lie against any officer or other employee of the Central Government, the Custodian or any chairman, director, officer or other employee of the Custodian for anything which is in good faith done or intended to be done under this Act.

(2) No suit or other legal proceeding shall lie against the Central Government or any of its officers or other employees or the Custodian or any chairman, director, officer or other employee of the Custodian for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

12. *Contracts in bad faith, etc., to be terminated or modified.*—If the Central Government is satisfied, after such inquiry as it may think fit, that any contract or agreement entered into at any time within twenty-four months immediately preceding the appointed day, between either of the two companies and any other person, in so far as such contract or agreement relates to the undertaking of either of the two companies, has been entered into in bad faith or is detrimental to the interests of the undertaking of the concerned company, it may make an order terminating or modifying (either unconditionally or subject to such conditions as it may think fit to impose) and thereafter the contract or agreement shall have effect accordingly:

Provided that no contract or agreement shall be terminated or modified by the Central Government except after giving to the parties to the contract or agreement a reasonable opportunity of being heard and except after

recording in writing its reasons for such termination or modification.

13. Avoidance of transfer or surrender after 29th December, 1977.—Any transfer of property, movable or immovable, or any delivery of goods (other than a delivery made in the ordinary course of business) or relinquishment or surrender of any right or interest in respect of any property under any arrangement secured by agreement or otherwise by either of the two companies or East Coast Gas Company before its take over by Parel Investments and Trading Private Limited) made at any time after the 29th December, 1977 (being the date on which the notice terminating the dealership agreements with the relevant companies was made known) and before the appointed day shall be void against the Central Government or the Custodian, as the case may be, and notwithstanding anything contained in any other law or agreement or instrument relating to any such property, right or interest, the Central Government or the Custodian, as the case may be, shall, on and after the appointed day, be entitled to such property, right or interest on the same terms and conditions on which either of the two companies or East Coast Gas Company would have been entitled to such property, right or interest if it had not transferred, delivered, relinquished or surrendered the same and this Act had not been passed:

Provided that nothing in this section shall apply to any property, goods, right or interest transferred delivered, relinquished or surrendered in good faith and for sufficient monetary consideration.

14. Power to terminate contract of employment.—If the Custodian is of the opinion that any contract of employment entered into by either of the two companies in relation to the undertaking of such company, at any time before the appointed day, is unduly onerous, it may, by giving to the employee one month's notice in writing or the salary or wages for one month in lieu thereof, terminate such contract of employment.

15. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

16. Power to make rules.—(1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or, two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form, or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Assented to on 11-6-1979.

THE INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979

(ACT No. 30 OF 1979)

AN
ACT

to regulate the employment of inter-State migrant workmen and to provide for their conditions of service and for matters connected therewith.

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent, commencement and application.—(1) This Act may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that if the Central Government considers it necessary or expedient so to do in the public interest, it may postpone or relax, to such extent as may be specified in such notification, the operation of all or any of the provisions of this Act in any State or States for such period not extending beyond one year from the date on which this Act comes into force.

(4) It applies:—

- to every establishment in which five or more inter-State migrant workmen (whether or not in addition to other workmen) are employed or who were employed on any day of the preceeding twelve months;
- to every contractor who employs or who employed five or more inter-State migrant workmen (whether or not in addition to other workmen) on any day of the preceding twelve months.

2. Definition.—(1) In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means,—

(i) in relation to—

- any establishment pertaining to any industry carried on by or under the authority of the Central Government or pertaining to any such controlled industry as may be specified in this behalf by the Central Government; or
- any establishment of any railway, Cantonment Board, major port, mine or oil-field; or
- any establishment of banking or insurance company,

the Central Government;

(ii) in relation to any other establishment, the Government of the State in which that other establishment is situated;

(b) "contractor", in relation to an establishment, means a person who undertakes (whether as an independent contractor, agent, employee or otherwise) to produce a given result for the establishment, other than a mere supply of goods or articles of manufacture to such establishment, by the employment of workmen or to supply workmen to the establishment, and includes a sub-contractor, *Khatadar*, *Sardar*, agent or any other person, by whatever name called, who recruits or employs workmen;

(c) "controlled industry" means any industry the control of which by the Union has been declared by any Central Act to be expedient in the public interest;

(d) "establishment" means—

- any office or department of the Government or a local authority; or
- any place where any industry, trade, business, manufacture or occupation is carried on;

(e) "inter-State migrant workman" means any person who is recruited by or through a contractor in one State under an agreement or other arrangement for employment in an establishment in another State, whether with or without the knowledge of the principal employer in relation to such establishment;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "principal employer" means,—

- in relation to any office or department of the Government or a local authority, the head of

that office, department or authority or such other officer as the Government or the local authority, as the case may be, may specify in this behalf;

- (ii) in relation to a factory, the owner or occupier of the factory and where a person has been named as the manager of the factory under the Factories Act, 1948 (63 of 1948), the person so named;
- (iii) in relation to a mine, the owner or agent of the mine and where a person has been named as the manager of the mine, the person so named;
- (iv) in relation to any other establishment, any person responsible for the supervision and control of the establishment.

Explanation.—For the purposes of sub-clause (iii) of this clause, the expressions “mine”, “owner” and “agent” shall have the meanings respectively assigned to them in clause (j), clause (l) and clause (c) of sub-section (1) of section 2 of the Mines Act, 1952 (35 of 1952);

- (h) “recruitment” includes entering into any agreement or other arrangement for recruitment and all its grammatical variations and cognate expressions shall be construed accordingly;
- (i) “wages” shall have the meaning assigned to it in clause (vi) of section 2 of the Payment of Wages Act, 1936 (4 of 1936);
- (j) “workman” means any person employed in or in connection with the work of any establishment to do any skilled, semi-skilled or unskilled manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be express or implied, but does not include any such person—
 - (i) who is employed mainly in a managerial or administrative capacity; or
 - (ii) who, being employed in a supervisory capacity, draws wages exceeding five hundred rupees per mensem, exercises, either by the nature of the duties attached to the office or by reasons of the powers vested in him, functions mainly of a managerial nature.

(2) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II

REGISTRATION OF ESTABLISHMENTS EMPLOYING INTER-STATE MIGRANT WORKMEN

3. **Appointment of registering officers.**—The appropriate Government may, by order notified in the Official Gazette,—

- (a) appoint such persons, being officers of Government, as it thinks fit to be registering officers for the purposes of this Chapter; and
- (b) define the limits, within which a registering officer shall exercise the powers conferred on him by or under this Act.

4. **Registration of certain establishments.**—(1) Every principal employer of an establishment to which this Act applies shall, within such period as the appropriate Government may, by notification in the Official Gazette, fix in this behalf with respect to establishments generally or with respect to any class of them, make an application to the registering officer, in such form and manner and on payment of such fees as may be prescribed, for the registration of the establishment:

Provided that the registering officer may entertain any such application for registration after the expiry of the period fixed in that behalf, if the registering officer is satisfied that the applicant was prevented by sufficient cause from making the application in time.

(2) Within one month after the receipt of an application for registration under sub-section (1), the registering officer shall,—

- (a) if the application is complete in all respects, register the establishment and issue to the principal employer of the establishment a certificate of registration in the prescribed form; and
- (b) if the application is not so complete, return the application to the principal employer of the establishment.

(3) Where within a period of one month after the receipt of an application for registration of an establishment under sub-section (1), the registering officer does not grant under clause (a) of sub-section (2) the certificate of registration applied for and does not return the application under clause (b) of that sub-section, the registering officer shall, within fifteen days of the receipt of an application in this behalf, from the principal employer, register the establishment and issue to the principal employer a certificate of registration in the prescribed form.

5. **Revocation of registration in certain cases.**—If the registering officer is satisfied, either on a reference made to him in this behalf or otherwise, that the registration of any establishment has been obtained by misrepresentation or suppression of any material fact or that for any other reason, the registration has become useless or ineffective and therefore, requires to be revoked, the registering officer may, after giving an opportunity to the principal employer of the establishment to be heard and with the previous approval of the appropriate Government, revoke by order in writing the registration and communicate the order to the principal employer:

Provided that where the registering officer considers it necessary to do so for any special reasons, he may, pending such revocation, by order suspend the operation of the certificate of registration for such period as may be specified in the order and serve, by registered post, such order along with a statement of the reasons on the principal employer and such order shall take effect on the date on which such service is effected.

6. **Prohibition against employment of inter-State migrant workmen without registration.**—No principal employer of an establishment to which this Act applies shall employ inter-State migrant workmen in the establishment unless a certificate of registration in respect of such establishment issued under this Act is in force:

Provided that nothing in this section shall apply to any establishment in respect of which an application for registration made within the period fixed, whether originally or on extension under sub-section (1) of section 4 is pending before a registering officer and for the purposes of this proviso, an application to which the provisions of sub-section (3) of section 4 apply shall be deemed to be pending before the registering officer concerned till the certificate of registration is issued in accordance with the provisions of that sub-section.

CHAPTER III

LICENSING OF CONTRACTORS

7. **Appointment of licensing officers.**—The appropriate Government may, by order notified in the Official Gazette,—

- (a) appoint such persons, being officers of Government, as it thinks fit to be licensing officers for the purposes of this Chapter; and
- (b) define the limits, within which a licensing officer shall exercise the jurisdiction and powers conferred on licensing officers by or under this Act.

8. **Licensing of contractors.**—(1) With effect from such date as the appropriate Government may, by notification in the Official Gazette, appoint, no contractor to whom this Act applies shall,—

- (a) recruit any person in a State for the purpose of employing him in any establishment situated in another State, except under and in accordance with a licence issued in that behalf,—
- (i) if such establishment is an establishment referred to in sub-clause (i) of clause (a) of

sub-section (1) of section 2, by the licensing officer appointed by the Central Government who has jurisdiction in relation to the area wherein the recruitment is made;

(ii) if such establishment is an establishment referred to in sub-clause (ii) of clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the State Government who has jurisdiction in relation to the area wherein the recruitment is made;

(b) employ as workmen for the execution of any work in any establishment in any State, persons from another State (whether or not in addition to other workmen) except under and in accordance with a licence issued in that behalf,—

(i) if such establishment is an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the Central Government who has jurisdiction in relation to the area wherein the establishment is situated;

(ii) if such establishment is an establishment referred to in sub-clause (ii) of clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the State Government who has jurisdiction in relation to the area wherein the establishment is situated.

(2) Subject to the provisions of this Act, a licence under sub-section (1) may contain such conditions including, in particular, the terms and conditions of the agreement or other arrangement under which the workmen will be recruited, the remuneration payable, hours of work, fixation of wages and other essential amenities in respect of the inter-State migrant workmen, as the appropriate Government may deem fit to impose in accordance with the rules, if any, made under section 35 and shall be issued on payment of such fees as may be prescribed:

Provided that if for any special reasons, the licensing officer is satisfied that it is necessary to require any person who has applied for, or who has been issued, a licence to furnish any security for the due performance of the conditions of the licence, he may, after communicating such reasons to such person and giving him an opportunity to represent his case, determine in accordance with the rules made in this behalf the security which shall be furnished by such person for obtaining or, as the case may be, for continuing to hold the licence.

(3) The security which may be required to be furnished under the proviso to sub-section (2) shall be reasonable and the rules for the purposes of the said proviso shall, on the basis of the number of workmen employed, the wages payable to them, the facilities which shall be afforded to them and other relevant factors provide for the norms with reference to which such security may be determined.

9. *Grant of licences.*—(1) Every application for the grant of a licence under sub-section (1) of section 8 shall be made in the prescribed form and shall contain the particulars regarding the location of the establishment, the nature of process, operation or work for which inter-State migrant workmen are to be employed and such other particulars as may be prescribed.

(2) The licensing officer may make such investigation in respect of the application received under sub-section (1) and in making any such investigation, the licensing officer shall follow such procedure as may be prescribed.

(3) A licence granted under section 8, shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fees and on such conditions as may be prescribed.

10. *Revocation, suspension and amendment of licences.*—

(i) If the licensing officer is satisfied, either on a reference made to him in this behalf or otherwise, that—

(a) a licence granted under section 8 has been obtained by misrepresentation or suppression of any material fact, or

(b) the holder of a licence has, without reasonable cause, failed to comply with the conditions subject to which the licence has been granted or has contravened any of the provisions of this Act or the rules made thereunder,

then, without prejudice to any other penalty to which the holder of the licence may be liable under this Act, the licensing officer may, after giving the holder of the licence an opportunity to be heard, by order in writing, revoke the licence or forfeit the security furnished by him under the proviso to sub-section (2) of section 8 or any part thereof and communicate the order to the holder of the licence:

Provided that where the licensing officer considers it necessary so to do for any special reasons, he may, pending such revocation or forfeiture, by order, suspend the operation of the licence for such period as may be specified in the order and serve, by registered post, such order along with a statement of the reasons on the holder of the licence and such order shall take effect on the date on which such service is effected.

(2) Subject to any rules that may be made in this behalf, the licensing officer may vary or amend a licence granted under section 8.

11. *Appeal.*—(1) Any person aggrieved by an order made under section 4, section 5, section 8 or section 10 may, within thirty days from the date on which the order is communicated to him, prefer an appeal to an appellate officer who shall be a person nominated in this behalf by the appropriate Government:

Provided that the appellate officer may entertain the appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate officer shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.

CHAPTER IV

DUTIES AND OBLIGATIONS OF CONTRACTORS

12. *Duties of contractors.*—(1) It shall be the duty of every contractor—

(a) to furnish such particulars and in such form as may be prescribed; to the specified authority in the State from which an inter-State migrant workman is recruited and in the State in which such workman is employed, within fifteen days from the date of recruitment, or, as the case may be, the date of employment, and where any change occurs in any of the particulars so furnished, such change shall be notified to the specified authorities of both the States;

(b) to issue to every inter-State migrant workman, a pass book affixed with a passport size photograph of the workman and indicating in Hindi and English languages, and where the language of the workman is not Hindi or English, also in the language of the workman,—

(i) the name and place of the establishment wherein the workman is employed;

(ii) the period of employment;

(iii) the proposed rates and modes of payment of wages;

(iv) the displacement allowance payable;

(v) the return fare payable to the workman on the expiry of the period of his employment and in such contingencies as may be prescribed and in such other contingencies as may be specified in the contract of employment;

(vi) deductions made; and

(vii) such other particulars as may be prescribed;

(c) to furnish in respect of every inter-State migrant workman who ceases to be employed, a return in such form and in such manner as may be prescribed, to the specified authority in the State from which he is recruited and in the State in which he is employed, which shall include a declaration that all the wages and other dues payable to the workman and the fare for the return journey back to his State have been paid.

(2) The contractor shall maintain the pass book referred to in sub-section (1) up-to-date and cause it to be retained with the inter-State migrant workman concerned.

Explanation.—For the purposes of this section and section 16 “specified authority” means such authority as may be specified by the appropriate Government in this behalf.

CHAPTER V

WAGES, WELFARE AND OTHER FACILITIES TO BE PROVIDED TO INTER-STATE MIGRANT WORKMEN

13. Wage rates and other conditions of service of inter-State migrant workmen.—(1) The wage rates, holidays, hours of work and other conditions of service of an inter-State migrant workman shall,—

- (a) in a case where such workman performs in any establishment, the same or similar kind of work as is being performed by any other workman in that establishment, be the same as those applicable to such other workman; and
- (b) in any other case, be such as may be prescribed by the appropriate Government:

Provided that an inter-State migrant workman shall in no case be paid less than the wages fixed under the Minimum Wages Act, 1948 (11 of 1948).

(2) Notwithstanding anything contained in any other law for the time being in force, wages payable to an inter-State migrant workman under this section shall be paid in cash.

14. Displacement allowance.—(1) There shall be paid by the contractor to every inter-State migrant workman at the time of recruitment, a displacement allowance equal to fifty per cent. of the monthly wages payable to him or seventy-five rupees, whichever is higher.

(2) The amount paid to a workman as displacement allowance under sub-section (1) shall not be refundable and shall be in addition to the wages or other amounts payable to him.

15. Journey allowance, etc.—A journey allowance of a sum not less than the fare from the place of residence of the inter-State migrant workman in his State to the place of work in the other State shall be payable by the contractor to the workman both for the outward and return journeys and such workman shall be entitled to payment of wages during the period of such journeys as if he were on duty.

16. Other facilities.—It shall be the duty of every contractor employing inter-State migrant workmen in connection with the work of an establishment to which this Act applies,—

- (a) to ensure regular payment of wages to such workmen;
- (b) to ensure equal pay for equal work irrespective of sex;
- (c) to ensure suitable conditions of work to such workmen having regard to the fact that they are required to work in a State different from their own State;
- (d) to provide and maintain suitable residential accommodation to such workmen during the period of their employment;
- (e) to provide the prescribed medical facilities to the workmen, free of charge;

(f) to provide such protective clothing to the workmen as may be prescribed; and

(g) in case of fatal accident or serious bodily injury to any such workman, to report to the specified authorities of both the States and also the next of kin of the workman.

17. Responsibility for payment of wages.—(1) A contractor shall be responsible for payment of wages to each inter-State migrant workman employed by him and such wages shall be paid before the expiry of such period as may be prescribed.

(2) Every principal employer shall nominate a representative duly authorised by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages in such manner as may be prescribed.

(3) It shall be the duty of the contractor to ensure the disbursement of wages in the presence of the authorised representative of the principal employer.

(4) In case the contractor fails to make payment of wages within the prescribed period or makes short payment, then the principal employer shall be liable to make payment of the wages in full or the unpaid balance due, as the case may be, to the inter-State migrant workman employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract as a debt payable by the contractor.

18. Liability of principal employer in certain cases.—

(1) If any allowance required to be paid under section 14 or section 15 to an inter-State migrant workman employed in an establishment to which this Act applies is not paid by the contractor or if any facility specified in section 16 is not provided for the benefit of such workman, such allowance shall be paid, or, as the case may be, the facility shall be provided, by the principal employer within such time as may be prescribed.

(2) All the allowances paid by the principal employer or all the expenses incurred by him in providing the facility referred to in sub-section (1) may be recovered by him from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.

19. Past liabilities.—It shall be the duty of every contractor and every principal employer to ensure that any loan given by such contractor or principal employer to any inter-State migrant workman does not remain outstanding after the completion of the period of employment of such workman under the said contractor or, as or, as the case may be, in the establishment of such principal employer and accordingly every obligation of an inter-State migrant workman to re-pay any debt obtained by him during the period of his employment from the contractor or the principal employer and remaining unsatisfied before the completion of such period shall, on such completion, be deemed to have been extinguished and no suit or other proceeding shall lie in any court or before any authority for the recovery of such debt or any part thereof.

CHAPTER VI

INSPECTING STAFF

20. Inspectors.—(1) The appropriate Government may, by notification in the Official Gazette, appoint such persons as it thinks fit to be inspectors for the purposes of this Act, and define the local limits within which they shall exercise their powers under this Act.

(2) Subject to any rules made in this behalf, within the local limits for which he is appointed, an inspector may—

- (a) if he has reason to believe that any inter-State migrant workmen are employed in any premises or place, enter, at all reasonable hours, with such

assistants (if any), being persons in the service of the Government or any local or other public authority as he thinks fit, such premises or place for the purpose of—

- (i) satisfying himself whether the provisions of this Act in relation to the payment of wages, conditions of service, or facilities to be provided to such workmen are being complied with;
- (ii) examining any register or record or notices required to be kept or exhibited by the provisions of this Act or the rules made thereunder, and requiring the production thereof for inspection;
- (b) examine any person found in any such premises or place for the purpose of determining whether such person is an inter-State migrant workman;
- (c) require any person giving out work to any workman, to give any information which is in his power to give, with respect to the names and addresses of the persons to, for and from whom the work is given out or received, and with respect to the payments to be made for the work;
- (d) seize or take copies of such register, record of wages, or notices or portions thereof as he may consider relevant in respect of an offence under this Act which he has reason to believe has been committed by a principal employer or contractor; and
- (e) exercise such other powers as may be prescribed.

(3) Notwithstanding anything contained in sub-sections (1) and (2), if a State Government considers it necessary for the purpose of satisfying itself that the provisions of this Act are being complied with in respect of any workmen belonging to that State and employed in an establishment situated in another State, it may, by order in writing, appoint such persons, being persons in the service of that Government, for the exercise of such of the powers mentioned in sub-section (2), as may be specified in that order:

Provided that no such order shall be issued without the concurrence of the Government of the State in which such workmen are employed or where the establishment is an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of section 2, without the concurrence of the Central Government.

(4) Any person required to produce any document or thing, or to give any information required, by an inspector under sub-section (2), or by a person appointed under sub-section (3), shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the Indian Penal Code (45 of 1860).

(5) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code.

CHAPTER VII

MISCELLANEOUS

21. *Inter-State migrant workmen to be deemed to be in employment from date of recruitment for the purposes of certain enactments.*—For the purposes of the enactments specified in the Schedule, an inter-State migrant workman shall, on and from the date of his recruitment, be deemed to be employed and actually worked in the establishment or, as the case may be, the first establishment in connection with the work of which he is employed.

22. *Provisions regarding industrial disputes in relation to inter-State migrant workmen.*—(1) Notwithstanding anything contained, in the Industrial Disputes Act, 1947 (14 of 1947) any dispute or difference in connection with the employment or non-employment or the terms of employment or the conditions of labour, of an inter-State migrant workman (hereafter in this section referred to as the industrial dispute) may,—

- (a) if the industrial dispute is relatable to an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of section 2, be referred under the provisions of the said Act, by the Central Government to any of the authorities referred to in Chapter II of that Act (hereafter in this section referred to as the said authorities);—
 - (i) in the State wherein the establishment is situated;
 - (ii) in the State wherein the recruitment of such workman was made if he makes an application in that behalf to that Government on the ground that he has returned to that State after the completion of his employment;
- (b) if the industrial dispute is relatable to an establishment referred to in sub-clause (ii) of clause (a) of sub-section (1) of section 2,—
 - (i) be referred under the provisions of the said Act, by the Government of the State wherein the establishment is situated, to any of the said authorities in that State; or
 - (ii) be referred under the provisions of the said Act, by the Government of the State wherein the recruitment of such workman was made to any of the said authorities in that State, if he makes an application in that behalf to that Government on the ground that he has returned to that State after the completion of his employment;

Provided that—

- (a) no application referred to in sub-clause (ii) of clause (a) or sub-clause (ii) of clause (b) shall be entertained after the expiry of a period of six months from the date of his return to the State wherein the recruitment was made after the completion of his employment, unless the Government concerned is satisfied that the applicant was prevented by sufficient cause from making the application within that period;
- (b) no reference under the said sub-clause (ii) of clause (b) shall be made except after obtaining the concurrence of the Government of the State wherein the establishment concerned is situated.

(2) Without prejudice to the provisions of section 33B of the Industrial Disputes Act, (1947 14 of 1947), where during the pendency of any proceeding in respect of an industrial dispute under that Act afore any of the said authorities in the State wherein the establishment is situated, an application is made to that authority by an inter-State migrant workman for the transfer of such proceeding to a corresponding authority in the State wherein his recruitment was made on the ground that he has returned to that State after the completion of his employment, that authority shall forward the application to the Central Government, or, as the case may be, to the Government of the State wherein such recruitment was made and transfer such proceeding in the prescribed manner to such authority as may be specified in this behalf by that Government:

Provided that in a case where no authority has been specified by the Government concerned within the prescribed period, the authority before which the proceeding is pending shall, on a request being made by the inter-State migrant workman and after obtaining the previous approval of the Government which referred the dispute to that authority, forward such proceeding to the Government concerned for reference of such dispute to an authority in the State wherein such recruitment was made.

(3) Without prejudice to the provisions of sub-section (2), if the Central Government is satisfied that it is expedient in the interest of justice so to do, it may, by order in writing and for reasons to be stated therein, withdraw any proceeding in respect of any industrial dispute relating to an inter-State migrant workman pending before an authority in the State in which the establishment concerned is situated and transfer the same to such authority in the State wherein the recruitment of such workman was made as may be specified in the order.

(4) The authority to which any proceeding is transferred under this section may proceed either *de novo* or from the stage at which it was so transferred.

23. Registers and other records to be maintained.—

(1) Every principal employer and every contractor shall maintain such registers and records giving such particulars of the inter-State migrant workmen employed, the nature of work performed by such workmen, the rates of wages paid to the workmen and such other particulars in such form as may be prescribed.

(2) Every principal employer and every contractor shall keep exhibited in such manner as may be prescribed within the premises of the establishment where the inter-State migrant workmen are employed, notices in the prescribed form containing particulars about the hours of work, nature of duty and such other information as may be prescribed.

24. Obstructions.—(1) Whoever obstructs an inspector or a person appointed under sub-section (3) of section 20 (hereinafter referred to as the authorised person) in the discharge of his duties under this Act or refuses or wilfully neglects to afford the inspector or authorised person any reasonable facility for making any inspection, examination, inquiry or investigation authorised by or under this Act in relation to an establishment to which, or a contractor to whom, this Act applies, shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

(2) Whoever wilfully refuses to produce on the demand of any inspector or authorised person any register or other document kept in pursuance of this Act or prevents or attempts to prevent or does anything which he has reason to believe is likely to prevent any person from appearing before or being examined by any inspector or authorised person acting in pursuance of his duties under this Act, shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

25. Contravention of provisions regarding employment of inter-State migrant workmen.—Whoever contravenes any provisions of this Act or of any rules made thereunder regulating the employment of inter-State migrant workmen, or contravenes any condition of a licence granted under this Act, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both, and in the case of a continuing contravention, with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

26. Other offences.—If any person contravenes any of the provisions of this Act or of any rules made thereunder for which no other penalty is elsewhere provided, he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

27. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director,

manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.—*For the purposes of this section,—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

28. Cognizance of offences.—No court shall take cognizance of any offence under this Act except on a complaint made by, or with the previous sanction in writing of, an inspector or authorised person and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

29. Limitation of prosecutions.—No court shall take cognizance of an offence punishable under this Act unless complaint thereof is made within three months from the date on which the alleged commission of the offence came to the knowledge of the inspector or authorised person concerned:

Provided that where the offence consists of disobeying a written order made by an inspector or authorised person, complaint thereof may be made within six months of the date on which the offence is alleged to have been committed.

30. Effect of laws and agreements inconsistent with the Act.—(1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any agreement or contract of service, or in any standing orders applicable to the establishment whether made before or after the commencement of this Act:

Provided that where under any such law, agreement, contract of service or standing orders, the inter-State migrant workmen employed in the establishment are entitled to benefits in respect of any matter which are more favourable to them than those to which they would be entitled under this Act, the inter-State migrant workmen shall continue to be entitled to the more favourable benefits in respect of that matter, notwithstanding that they receive benefits in respect of other matters under this Act.

(2) Nothing contained in this Act shall be construed as precluding any inter-State migrant workmen from entering into an agreement with the principal employer or the contractor, as the case may be, for granting them rights or privileges in respect of any matter which are more favourable to them than those to which they would be entitled under this Act.

31. Power to exempt in special cases.—The appropriate Government may, by notification in the Official Gazette and subject to such conditions and restrictions, if any, and for such period or periods as may be specified in the notifications, direct that all or any of the provisions of this Act or the rules made thereunder shall not apply to or in relation to any establishment or class of establishments or any contractor or class of contractors or any inter-State migrant workmen in such establishment or class of such workmen, if that Government is satisfied that it is just and proper so to do having regard to the methods of recruitment on the conditions of employment in such establishment or class of establishments and all other relevant circumstances.

32. Protection of action taken under the Act.—(1) No suit, prosecution or other legal proceedings shall lie against any registering officer, licensing officer or any other employee of the Government for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

(2) No suit or other legal proceedings shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or notification or order made or issued thereunder.

33. Power to give directions.—The Central Government may give directions to the Government of any State as to the carrying into execution in the State of the provisions contained in this Act.

34. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date on which this Act comes into force.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

35. Power to make rules.—(1) The appropriate Government may, subject to the condition of previous publication, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the form and manner in which an application for the registration of an establishment may be made under section 4, the fees payable thereon and the form of a certificate of registration issued under that section;
- (b) the form in which an application for the grant or renewal of a licence may be made under section 9 and the particulars it may contain;
- (c) the manner in which an investigation is to be made in respect of an application for the grant of a licence and the matters to be taken into account in granting or refusing a licence;
- (d) the form of a licence which may be granted or renewed under this Act, the conditions subject to which the licence may be granted or renewed, the fees payable for the grant or renewal of a licence and the security, if any, required to be furnished for the due performance of the conditions of the licence;
- (e) the circumstances under which licences may be varied or amended under section 10;
- (f) the form and the manner in which appeals may be filed under section 11 and the procedure to be followed by appellate officers in disposing of the appeals;
- (g) the wage rates, holidays, hours of work and other conditions of service which an inter-State migrant workman is entitled under section 13;
- (h) the period within which wages payable to inter-State migrant workmen should be paid by the contractor under sub-section (1) of section 17 and the manner of certification of such payment under sub-section (2) thereof;
- (i) the time within which allowances or facilities required by this Act to be provided and maintained may be so provided by the contractor and in case of default on the part of the contractor, by the principal employer under section 18;
- (j) the powers that may be exercised by inspectors under section 20;
- (k) the form of registers and records to be maintained, and the particulars and information to be contained in notices to be exhibited, by the principal employers and contractors under section 23;
- (l) the manner of submission of returns, and the forms in which, and the authorities to which, such returns may be submitted;
- (m) legal aid to inter-State migrant workmen;
- (n) any other matter which is required to be, or may be, prescribed under this Act.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

36. Repeal and saving.—(1) The Orissa Dastan Labour (Control) and Regulation Act, 1975 (Orissa Act 42 of 1975) and any law corresponding to this Act, in force in any State, shall stand repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Act or law so repealed shall, in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the provisions of this Act, as if the said provisions were in force when such thing was done or such action was taken and shall continue to be in force accordingly until superseded by anything done or any action taken under this Act.

THE SCHEDULE (See section 21)

1. The Workmen's Compensation Act, 1923, (8 of 1923).
2. The Payment of Wages Act, 1936 (4 of 1936).
3. The Industrial Disputes Act, 1947 (14 of 1947).
4. The Employees' State Insurance Act, 1948 (34 of 1948).
5. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).
6. The Maternity Benefit Act, 1961 (53 of 1961).

Assented to on 11-6-1979.

THE HARYANA AND UTTAR PRADESH (ALTERATION OF BOUNDARIES) ACT, 1979

(ACT No. 31 OF 1979)

AN
ACT

to provide for the alteration of boundaries of the States of Haryana and Uttar Pradesh and for matters connected therewith.

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

PART I PRELIMINARY

1. Short title.—This Act may be called the Haryana and Uttar Pradesh (Alteration of Boundaries) Act, 1979.

2. Definitions.—In this Act, unless the context otherwise requires,—

- (a) "appointed day" means the day which the Central Government may, by notification in the Official Gazette, appoint;
- (b) "assembly constituency", "council constituency" and "Parliamentary constituency" have the same meanings as in the Representation of the People Act, 1950 (43 of 1950);
- (c) "fixed boundaries" means the boundaries demarcated under the provisions of section 3;
- (d) "law" includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or in any part of the State of Haryana or Uttar Pradesh;

- (e) "notified order" means an order published in the Official Gazette;
- (f) "prescribed" means prescribed by rules made under this Act;
- (g) "present deep stream line" means the deep stream line of the river Yamuna as verified and determined by the Survey of India during the months of November, 1974, December, 1974, January, 1975 and February, 1975;
- (h) "sitting member" in relation to either House of Parliament or of the Legislature of a State, means a person who immediately before the appointed day is a member of that House;
- (i) "transferred territories" means,—
- (a) in relation to the State of Haryana, the territories transferred by this Act from that State to the State of Uttar Pradesh, and
 - (b) in relation to the State of Uttar Pradesh, the territories transferred by this Act from that State to the State of Haryana;
- (j) any reference to a district of a State shall be construed as a reference to the area physically comprised within that district immediately before the appointed day.

PART II

ALTERATION OF BOUNDARIES

3. *Replacement of fluctuating boundaries by fixed boundaries.*—(1) As from the appointed day, the boundary between the Karnal and Sonapat districts of the State of Haryana and the Saharanpur, Muzaffarnagar and Meerut districts of the State of Uttar Pradesh and the boundary between the Gurgaon district of the State of Haryana and the Bulandshahr and Aligarh districts of the State of Uttar Pradesh which at present is the deep stream of the river Yamuna, shall be altered to and replaced by fixed boundaries.

(2) The said fixed boundaries shall be demarcated by an authority appointed in this behalf by the Central Government so as to be generally in conformity with the fixed boundaries described in the Schedule.

(3) For the purposes of such demarcation,—

- (a) the decision of the said authority on any matter relating to the interpretation of any part of the description of the fixed boundary given in the Schedule shall be final;
- (b) the said authority shall have power to determine the location of the points at which the boundary pillars shall be constructed and to specify the State Government which shall be responsible for the construction and maintenance of the boundary pillars at such points according to such specifications as that authority may indicate (the pillars of the same specifications being apportioned, as far as practicable, equally between the two State Governments), the decision of the said authority in regard to these matters being final;
- (c) it shall be lawful for the said authority and for any person specified by such authority to enter upon and survey any area in the vicinity of any of the fixed boundaries described in the Schedule and, to do all other acts as may be necessary.

(4) The authority referred to in sub-section (2) shall also prepare maps of the areas on both sides of the fixed boundaries and in the vicinity thereof showing—

- (a) the present deep stream line and the fixed boundary in relation to it; and
- (b) the names and boundaries of the villages on both sides of the fixed boundary as indicated by the State Government concerned with reference to the revenue records of that Government,

and send authenticated copies thereof to the Central Government and to the State Governments of Haryana and Uttar Pradesh.

4. *Transfer of territories.*—(1) As from the appointed day,—

- (a) there shall be added to the State of Haryana all the territories of the State of Uttar Pradesh which lie on the Haryana side of the fixed boundaries,

and the said territories shall thereupon cease to form part of the State of Uttar Pradesh; and

- (b) there shall be added to the State of Uttar Pradesh all the territories of the State of Haryana which lie on the Uttar Pradesh side of the fixed boundaries, and the said territories shall thereupon cease to form part of the State of Haryana.

(2) Each of the State Governments of Haryana and Uttar Pradesh shall, by order in the Official Gazette of the State, provide for the administration, as from the appointed day, of the territories transferred to that State under sub-section (1) by including them or any part of them in such district, sub-division, police-station or other administrative unit as may be specified in the order.

5. *Amendment of First Schedule to the Constitution.*—As from the appointed day, in the First Schedule to the Constitution, under the head "I. THE STATES"—

- (a) for the entry against "13. Uttar Pradesh", the following shall be substituted, namely:—

"The territories which immediately before the commencement of this Constitution were either comprised in the Province known as the United Provinces or were being administered as if they formed part of that Province, the territories specified in clause (b) of sub-section (1) of section 3 of the Bihar and Uttar Pradesh (Alteration of Boundaries) Act, 1968, and the territories specified in clause (b) of sub-section (1) of section 4 of the Haryana and Uttar Pradesh (Alteration of Boundaries) Act, 1979, but excluding the territories specified in clause (a) of sub-section (1) of section 3 of the Bihar and Uttar Pradesh (Alteration of Boundaries) Act, 1968, and the territories specified in clause (a) of sub-section (1) of section 4 of the Haryana and Uttar Pradesh (Alteration of Boundaries) Act, 1979."

- (b) for the entry against "17. Haryana", the following shall be substituted, namely:—

"The territories specified in sub-section (1) of section 3 of the Punjab Reorganisation Act, 1966 and the territories specified in clause (a) of sub-section (1) of section 4 of the Haryana and Uttar Pradesh (Alteration of Boundaries) Act, 1979, but excluding the territories specified in clause (b) of sub-section (1) of section 4 of that Act."

PART III

REPRESENTATION IN THE LEGISLATURES

6. *Construction of delimitation orders.*—As from the appointed day, any reference in any order relating to delimitation of parliamentary constituencies, assembly constituencies or council constituencies—

- (a) (i) to the State of Haryana, shall be construed as including the territories transferred to that State from the State of Uttar Pradesh under clause (a) of sub-section (1) of section 4, but excluding the territories transferred from the State of Haryana to the State of Uttar Pradesh under clause (b) of that sub-section;
- (ii) to any district, sub-division, police-station or other administrative unit in the State of Haryana, shall be construed as including that part of the territories, if any, transferred to that State, which is included in that district, sub-division, police-station or other administrative unit by order made under sub-section (2) of section 4;
- (b) (i) to the State of Uttar Pradesh shall be construed as including the territories transferred to that State from the State of Haryana under clause (b) of sub-section (1) of section 4, but excluding the territories transferred from the State of Uttar Pradesh to the State of Haryana under clause (a) of that sub-section;

(ii) to any district, sub-division, police-station or other administrative unit in the State of Uttar Pradesh, shall be construed as including that part of the territories, if any, transferred to that State, which is included in that district, sub-division, police-station or other administrative unit by order made under sub-section (2) of section 4.

7. *Provision as to sitting members.*—(1) Every sitting member of the House of the People representing any parliamentary constituency the extent of which has been altered by virtue of the provisions of this Act shall, notwithstanding such alteration, be deemed, as from the appointed day, to have been elected to that House by that constituency as so altered.

(2) Every sitting member of the Legislative Assembly of the State of Haryana or Uttar Pradesh representing any assembly constituency the extent of which has been altered by virtue of the provisions of this Act shall, notwithstanding such alteration, be deemed, as from the appointed day, to have been elected to the said Legislative Assembly by that constituency as so altered.

(3) Every sitting member of the Legislative Council of the State of Uttar Pradesh representing any council constituency the extent of which has been altered by virtue of the provisions of this Act shall, notwithstanding such alteration, be deemed, as from the appointed day, to have been elected to the said Legislative Council by that constituency as so altered.

PART IV

HIGH COURTS

8. *Extension of jurisdiction of, and transfer of proceedings to, High Court of Punjab and Haryana.*—(1) Except as hereinafter provided—

(a) the jurisdiction of the High Court of Punjab and Haryana shall, as from the appointed day, extend to the territories transferred by this Act from the State of Uttar Pradesh to the State of Haryana; and

(b) the High Court of Judicature at Allahabad shall, as from that day, have no jurisdiction in respect of the said territories.

(2) Such proceedings pending in the High Court of Judicature at Allahabad immediately before the appointed day as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Punjab and Haryana shall, as soon as may be after such certification, be transferred to the High Court of Punjab and Haryana.

(3) Notwithstanding anything contained in sub-sections (1) and (2), but save as hereinafter provided, the High Court of Judicature at Allahabad shall have, and the High Court of Punjab and Haryana shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other proceedings, where any such proceedings seek any relief in respect of any order passed by the High Court of Judicature at Allahabad before the appointed day:

Provided that if, after such proceedings have been entertained by the High Court of Judicature at Allahabad, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Punjab and Haryana, he shall order that they shall be so transferred and such proceedings shall thereupon be transferred accordingly.

(4) Any order made by the High Court of Judicature at Allahabad—

(a) before the appointed day in any proceedings transferred to the High Court of Punjab and Haryana by virtue of sub-section (2), or

(b) in any proceedings with respect to which the High Court of Judicature at Allahabad retains jurisdiction by virtue of sub-section (3),

shall, for all purposes, have effect not only as an order of the High Court of Judicature at Allahabad, but also as an order made by the High Court of Punjab and Haryana.

(5) Subject to any rule made or direction given by the High Court of Punjab and Haryana, any such person who immediately before the appointed day is an advocate entitled to practise in the High Court of Judicature at Allahabad as may be specified in this behalf by the Chief Justice of the High Court of Punjab and Haryana, having regard to the transfer of territories from the State of Uttar Pradesh to the State of Haryana, shall be recognised as an advocate entitled to practise in the High Court of Punjab and Haryana.

9. *Extension of jurisdiction of, and transfer of proceedings to, High Court at Allahabad.*—(1) Except as hereinafter provided—

(a) the jurisdiction of the High Court of Judicature at Allahabad shall, as from the appointed day, extend to the territories transferred by this Act from the State of Haryana to the State of Uttar Pradesh; and

(b) the High Court of Punjab and Haryana shall, as from that day, have no jurisdiction in respect of the said territories.

(2) Such proceedings pending in the High Court of Punjab and Haryana immediately before the appointed day as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Judicature at Allahabad shall, as soon as may be after such certification, be transferred to the High Court of Judicature at Allahabad.

(3) Notwithstanding anything contained in sub-sections (1) and (2), but save as hereinafter provided, the High Court of Punjab and Haryana shall have, and the High Court of Judicature at Allahabad shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other proceedings, where any such proceedings seek any relief in respect of any order passed by the High Court of Punjab and Haryana before the appointed day:

Provided that if, after such proceedings have been entertained by the High Court of Punjab and Haryana, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Judicature at Allahabad, he shall order that they shall be so transferred and such proceedings shall thereupon be transferred accordingly.

(4) Any order made by the High Court of Punjab and Haryana—

(a) before the appointed day in any proceedings transferred to the High Court of Judicature at Allahabad by virtue of sub-section (2); or

(b) in any proceedings with respect to which the High Court of Punjab and Haryana retains jurisdiction by virtue of sub-section (3),

shall, for all purposes, have effect not only as an order of the High Court of Punjab and Haryana, but also as an order made by the High Court of Judicature at Allahabad.

(5) Subject to any rule made or direction given by the High Court of Judicature at Allahabad, any such person who immediately before the appointed day is an advocate entitled to practise in the High Court of Punjab and Haryana as may be specified in this behalf by the Chief Justice of the High Court of Judicature at Allahabad having regard to the transfer of territories from the

State of Haryana to the State of Uttar Pradesh shall be recognised as an advocate entitled to practise in the High Court of Judicature at Allahabad.

10. *Right to appear in any proceedings transferred under section 8 or section 9.*—Any person who immediately before the appointed day is an advocate entitled to practise in the High Court of Punjab and Haryana or the High Court of Judicature at Allahabad and was authorised to appear in any proceedings transferred under section 8 or section 9 shall have the right to appear in the High Court to which the proceedings have been transferred in relation to those proceedings.

11. *Interpretation.*—For the purposes of sections 8 and 9,—

- (a) proceedings shall be deemed to be pending in the High Court of Punjab and Haryana or the High Court of Judicature at Allahabad until that Court has disposed of all issues between the parties, including any issue with respect to the taxation of the costs of the proceedings and shall include appeals, applications for leave to appeal to the Supreme Court, applications for revision, petitions for revision and petitions for writs;
- (b) references to the High Court of Punjab and Haryana or the High Court of Judicature at Allahabad shall be construed as including references to a Judge or division court thereof, and references to an order made by a court or a Judge shall be construed as including references to a sentence, judgment or decree passed or made by that court or Judge.

PART V

AUTHORISATION OF EXPENDITURE

12. *Appropriation on moneys for expenditure in transferred territories under existing appropriation Acts.*—(1) As from the appointed day, any Act passed by the Legislature of the State of Haryana or Uttar Pradesh before that day for the appropriation of any moneys out of the Consolidated Fund of the State to meet any expenditure in respect of any part of the financial year in which the appointed day falls shall have effect also in relation to the territories transferred to that State by the provisions of Part II and it shall be lawful, for the State Government to spend any amount on any service in those territories out of the amount authorised by such Act to be expended for that service during the financial year in that State.

(2) The Governor of Haryana or of Uttar Pradesh may, after the appointed day, authorise such expenditure from the Consolidated Fund of the State as he deems necessary for any purpose or service in the territories transferred to that State for a period of not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislature of the State:

Provided that no such authorisation shall be made so as to have effect for any period after the end of the financial year in which the appointed day falls.

13. *Reports relating to accounts of Haryana and Uttar Pradesh.*—The reports of the Comptroller and Auditor-General of India referred to in clause (2) of article 151 of the Constitution relating to the accounts of the State of Haryana or Uttar Pradesh in respect of any financial year ending before the appointed day shall be submitted to the Governor of each of the States of Haryana and Uttar Pradesh who shall cause them to be laid before the Legislature of the State.

PART VI

APPORTIONMENT OF ASSETS AND LIABILITIES

14. *Land and goods.*—(1) Subject to the other provisions of this Part, all land and all stores, articles and other goods belonging to the State of Haryana or Uttar Pradesh in the transferred territories shall, as from the

appointed day pass to the State to which the territories are transferred.

(2) In this section, the expression "land" includes immovable property of every kind and any rights in or over such property.

15. *Arrears of taxes.*—The right of the State of Haryana or Uttar Pradesh to recover arrears of any tax or duty on property situate in the transferred territories, including land revenue, or to recover arrears of any other tax or duty in any case where the place of assessment of that tax or duty is in the transferred territories shall belong to the State to which the territories are transferred.

16. *Right to recover loans and advances.*—The right to recover any loans or advances made before the appointed day by the State of Haryana or Uttar Pradesh to any local body, society, agriculturist, or other person in the transferred territories shall belong to the State to which the territories are transferred.

17. *Refund of taxes collected in excess.*—The liability of the State of Haryana or Uttar Pradesh to refund any tax or duty on property situate in the transferred territories including land revenue, collected in excess shall be the liability of the State to which the territories are transferred, and the liability of the State of Haryana or Uttar Pradesh to refund any other tax or duty collected in excess in any case where the place of assessment of the tax or duty is in the transferred territories shall also be the liability of the State to which the territories are transferred.

18. *Deposits.*—The liability of the State of Haryana or Uttar Pradesh in respect of any civil deposit or local fund deposit made in the transferred territories shall, as from the appointed day, be the liability of the State to which the territories are transferred.

19. *Contracts.*—(1) Where, before the appointed day, the State of Haryana or Uttar Pradesh has made any contract in the exercise of its executive power for any purposes of the State, that contract shall be deemed to have been made in the exercise of the executive power—

- (a) if such purposes are, as from that day, purposes relatable exclusively to the transferred territories of the State to which the territories are transferred; and
- (b) in any other case, of the State which made the contract,

and all rights and liabilities which have accrued, or may accrue, under any such contract shall, to the extent to which they are rights or liabilities of the State which made the contract, be the rights or liabilities of the State specified in clause (a) or clause (b) above.

(2) For the purposes of this section, there shall be deemed to be included in the liabilities which have accrued or may accrue under any contract—

- (a) any liability to satisfy an order or award made by any court or other tribunal in proceedings relating to the contract; and
- (b) any liability in respect of expenses incurred in or in connection with any such proceedings.

(3) This section shall have effect subject to the other provisions of this Part relating to the apportionment of liabilities in respect of loans, guarantees and other financial obligations.

20. *Liability in respect of actionable wrong.*—Where, immediately before the appointed day, the State of Haryana or Uttar Pradesh is subject to any liability in respect of an actionable wrong, other than breach of contract, that liability shall,—

- (a) if the cause of action arose wholly within the transferred territories, be a liability of the State to which the territories are transferred; and
- (b) in any other case, continue to be a liability of

the State which, immediately before that day, was subject to such liability.

21. Liability as guarantor of co-operative societies.—Where, immediately before the appointed day, the State of Haryana or Uttar Pradesh is liable as guarantor in respect of any liability of a registered co-operative society, that liability shall,—

- (a) if the area of the society's operations is limited to the transferred territories, be a liability of the State to which the territories are transferred; and
- (b) in any other case, continue to be a liability of the State which, immediately before that day, was subject to such liability.

22. Items in suspense.—If any item in suspense is ultimately found to affect an asset or liability of the nature referred to in any of the foregoing provisions of this Part, it shall be dealt with in accordance with that provision.

23. Apportionment of assets or liabilities by agreement.—Where the States of Haryana and Uttar Pradesh agree that the benefit or burden of any particular asset or liability should be apportioned between them in a manner other than that provided for in the foregoing provisions of this Part, then, notwithstanding anything contained therein, the benefit or burden of that asset or liability shall be apportioned in the manner agreed upon.

24. Power of Central Government to order allocation or adjustment in certain cases.—Where, by virtue of any of the provisions of this Part, either of the States of Haryana or Uttar Pradesh becomes entitled to any property or obtains any benefits or becomes subject to any liability, and the Central Government, on a reference made within a period of three years from the appointed day by either of the States, is of opinion that it is just and equitable that that property or those benefits should be transferred to, or shared with, the other State or that a contribution towards that liability should be made by the other State, the said property or benefits shall be allocated in such manner between the two States, or the other State shall make to the State subject to the liability such contribution in respect thereof, as the Central Government may, after consultation with the two State Governments, by order, determine.

25. Expenditure to be charged on the Consolidated Fund.—All sums payable by either the State of Haryana or Uttar Pradesh to the other State by virtue of the provisions of this Part shall be charged on the Consolidated Fund of the State by which such sums are payable.

PART VII

LEGAL AND MISCELLANEOUS PROVISIONS

26. State Financial Corporations and State Electricity Boards.—As from the appointed day,—

- (a) the Financial Corporations constituted under the State Financial Corporations Act, 1951 (63 of 1951), for the States of Haryana and Uttar Pradesh; and
- (b) the State Electricity Boards constituted under the Electricity (Supply) Act, 1948 (54 of 1948), for the said States,

shall be deemed to have been constituted for those States with their areas as altered by the provisions of section 4.

27. Territorial extent of laws.—The provisions of section 4 shall not be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, and territorial references in any such law to the State of Haryana or Uttar Pradesh shall, until otherwise provided by a competent Legislature or other competent authority, be construed as meaning the territories within that State immediately before the appointed day.

28. Power to adapt laws.—For the purpose of facilitating the application of any law in relation to the State

of Haryana or Uttar Pradesh, the appropriate Government may, before the expiration of two years from the appointed day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations or modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

Explanation.—In this section, the expression "appropriate Government" means as respects any law relating to a matter enumerated in the Union List, the Central Government, and as respects any other law, the State Government.

29. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the State of Haryana or Uttar Pradesh, construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

30. Legal proceedings.—Where, immediately before the appointed day, the State of Haryana or Uttar Pradesh is a party to any legal proceedings with respect to any property, rights or liabilities transferred to the other State under this Act, the other State shall be deemed to be substituted for the State from which such property, rights or liabilities are transferred as a party to those proceedings, or added as a party thereto, as the case may be, and the proceedings may continue accordingly.

31. Transfer of pending proceedings.—(1) Every proceeding pending immediately before the appointed day before a court (other than a High Court), tribunal, authority or officer in any area which on that day falls within the State of Haryana or Uttar Pradesh shall, if it is a proceeding relating exclusively to any part of the territories which as from that day are the territories of the other State, stand transferred to the corresponding court, tribunal, authority or officer in the other State.

(2) If any question arises as to whether any proceeding should stand transferred under sub-section (1), it shall be referred to the High Court having jurisdiction in respect of the area in which the court, tribunal, authority or officer before which, or before whom, such proceeding is pending on the appointed day, is functioning, and the decision of that High Court shall be final.

(3) In this section,—

- (a) "proceeding" includes any suit, case or appeal; and
- (b) "corresponding court, tribunal, authority or officer" in a State means—

(i) the court, tribunal, authority or officer in which, or before whom, the proceeding would have lain if the proceeding had been instituted after the appointed day, or

(ii) in case of doubt, such court, tribunal, authority or officer in that State as may be determined after the appointed day by the Government of that State, or before the appointed day by the Government of the other State, to be the corresponding court, tribunal, authority or officer.

32. Construction of boundary pillars, etc.—(1) It shall be lawful for the State Government which is responsible for the construction of any boundary pillar under sub-section (3) of section 3 to cause such pillar to be constructed and maintained and no suit, prosecution or other legal proceeding shall lie against the State Government or any of its officers for anything in good faith done or intended to be done under this section.

(2) The boundary pillars shall be inspected jointly by the officers of the State Governments of Haryana and Uttar Pradesh in accordance with such rules as the Central Government may make in this behalf.

(3) Whoever wilfully removes or injures any boundary pillars shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), an offence under sub-section (3) may be inquired into and tried by a court in either of the States of Haryana and Uttar Pradesh.

33. *Validity of demarcation done before commencement of Act.*—All things done and all steps taken before the commencement of this Act in connection with the demarcation of the fixed boundaries shall, in so far as they are in conformity with the provisions of sub-section (2) and (3) of section 3, be deemed to have been done in accordance with law.

34. *Effect of provisions inconsistent with other laws.*—The provisions of this Act shall have effect notwithstanding any law, custom or usage which is inconsistent therewith.

35. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the President may, by notified order, do anything, not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order made under this section shall be laid before each House of Parliament.

36. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act.

(2) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE

[(See section 3 (2))]

Description of the fixed boundaries

1. The fixed boundary between the Karnal and Sonapat districts of Haryana on the one side and the Saharanpur, Muzaffarnagar and Meerut districts of

Uttar Pradesh on the other side shall be the present deep stream line.

2. (1) The fixed boundary between the Gurgaon district of Haryana on the one side and the Bulandshahr and Aligarh districts of Uttar Pradesh on the other side shall commence from the point where the present deep stream line crosses the north-west boundary of BASANTPUR and proceed along the said boundary up to the point where it crosses the north bank of the river Yamuna as ascertained at the 1971-72 river survey conducted by the Survey of India.

(2) It shall then proceed along the said north bank up to the point where it meets the boundary between BASANTPUR and SALARPUR; thence along the northern and eastern boundaries of SALARPUR, the eastern boundary of ASALATPUR, the north-eastern boundary of DADSIA, the northern and north-eastern boundaries of KIRAWLI, the northern boundary of LALPUR, the northern and eastern boundaries of MAHABATPUR, the eastern boundary of MUAZZA-MABAD, the eastern boundary of BHASKOLA, the eastern and northern boundaries of RAJPUR KALAN including CHAK PHULERA, the northern and eastern boundaries of SHIKARGAH, the northern and eastern boundaries of AMINPUR, the eastern boundary of CHIRSI, the eastern boundary of AKBARPUR, the eastern boundary of MOZAMABAD-MAZARA-SHEIKHPUR, the eastern boundary of SHEIKHPUR, the eastern boundary of MANJHAWALI, the eastern boundary of GARHI BEGAMPUR, the south-eastern boundary of DALELGARH, the eastern boundary of NANGLA-MAZRA-CHANDPUR, the northern and eastern boundaries of SHAHJAHANPUR, the eastern boundary of LATIFPUR, the eastern boundary of PARASRAMPUR *alias* DULEHPUR, the eastern boundary of MAKANPUR, the north-eastern boundary of WALIPUR, the western, northern and eastern boundaries of SHEIKHPUR, the northern and the north-eastern boundaries of BEHRAMPUR, and the north-western boundary of NANGLIA upto the point where it meets the present deep stream line.

(3) From this point, it shall proceed along the present deep stream line following the boundary on Uttar Pradesh side of NANGLIA, JHUPPA, BAGHPUR KALAN, BAGHPUR KHURD, SOLRAH, BHOLRA, DOSTPUR, GURWARI and CHANDHAT up to the junction of the old main stream of the river Yamuna and the channel or branch of the river commonly known as the Zair Nala, and thence along the present deep stream line up to the southern boundary of MAHOLI.

Explanation.—In this paragraph,—

- (a) any reference to the boundary of a village named in sub-paragraphs (1) and (2) shall be construed as a reference to the boundary of that village as ascertained and mapped at the Settlement of Gurgaon district completed in 1943;
- (b) the references to the present deep stream line at the end of sub-paragraph (2) and the beginning of sub-paragraph (3) shall be construed as references to the present deep stream line pertaining to the old main stream of the river Yamuna.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक प्रविवृत्तियाँ तथा अन्य निर्वाचन सम्बन्धी प्रविवृत्तियाँ

शून्य

अनुसूचक

DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Bilaspur:																			
Sadar	—	4.3	2.1	6.2	15.3	38.3	—	—	—	—	—	—	—	—	—	4.3	6.3	—	—
Ghumarwin	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Raghunathpura	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bilaspur Obs.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chamba:																			
Chamba	—	11.8	48.2	10.0	60.0	81.6	62.2	23.2	11.8	—	—	—	—	—	—	—	24.2	27.4	—
Ludhara	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chhatrari	230.0	225.0	210.0	155.0	275.0	98.0	—	—	—	—	—	—	—	—	—	—	30.0	15.0	—
Bhandal	—	35.0	32.5	—	74.0	52.0	77.5	25.0	—	—	—	—	—	—	—	—	57.0	—	—
Chowari	—	25.0	16.0	80.2	84.1	71.8	75.0	4.4	—	—	—	—	—	—	—	—	—	—	—
Bathri	—	13.5	38.0	33.5	50.5	60.0	40.0	11.0	7.0	—	—	—	—	—	—	—	20.0	14.0	—
Kalotop	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bharmour	20.0	30.0	20.0	15.0	10.0	15.0	45.0	30.0	40.0	—	—	—	—	—	—	—	—	20.0	—
Tissa	—	25.0	72.1	24.0	45.0	25.1	58.0	32.0	35.0	—	—	—	—	—	—	—	—	—	—
Bhanota	—	10.0	29.5	18.5	78.2	70.2	60.0	17.0	7.5	—	—	—	—	—	—	—	27.2	—	—
Kilar	9.1	80.0	25.0	55.0	80.0	50.0	4.0	—	—	—	—	—	—	—	—	25.0	7.1	—	—
Hamirpur:																			
Hamirpur	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kangra:																			
Palampur	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dehra	—	—	11.0	—	10.6	38.6	18.2	—	—	—	—	—	—	—	—	—	4.0	—	—
Kangra	—	12.0	28.0	0.4	25.0	68.0	39.0	—	—	—	—	—	—	—	—	—	0.8	18.0	—
Nurpur	—	—	18.8	—	64.4	56.0	21.0	—	—	—	—	—	—	—	—	—	8.4	5.0	—
Dharamsala	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kulu:																			
Kulu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Banjär	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kinnaur:																			
Nichear	—	1.0	10.0	—	—	—	7.0	—	2.0	—	—	—	—	—	—	—	1.0	—	—
Kilba	—	2.0	13.0	2.0	2.0	7.0	7.0	—	—	—	—	—	—	—	—	10.0	3.0	—	—
Sangla	—	20.0	1.0	1.0	1.0	1.0	—	4.0	—	—	—	—	—	—	—	—	3.0	—	—
Kalpa	—	1.0	14.0	1.0	1.0	7.0	—	—	—	—	—	—	—	—	—	—	3.0	7.0	—
Purbani	—	—	17.0	1.0	2.0	—	3.0	3.0	—	—	—	—	—	—	—	9.0	1.0	—	—
Lahaul and Spiti:																			
Keylong	—	4.0	4.0	4.0	5.0	12.0	—	—	—	—	—	—	—	—	—	—	6.0	1.0	—
Kaza	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Simla:																			
Ranpur	—	28.3	31.5	26.0	18.5	28.5	14.5	—	12.0	—	—	—	—	—	—	—	30.5	—	—
Robru	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jubbal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chopal	—	8.0	10.0	12.5	10.5	8.5	—	—	—	—	—	—	—	—	—	—	—	—	—
Theog	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kumarsain	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Junga	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kasumpti	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Suni	—	6.5	8.7	6.5	7.0	16.0	24.7	—	—	—	—	—	—	—	—	—	—	—	—
Kotkhai	—	16.5	—	9.5	10.0	11.5	—	—	—	—	—	—	—	—	—	—	—	3.5	23.2
Basbha	—	2.0	1.0	—	1.0	1.0	—	—	—	—	—	—	—	—	—	—	—	—	—
Khadraja	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sillaroo	1.0	3.0	1.0	1.0	2.0	2.0	1.0	—	—	—	—	—	—	—	—	—	1.0	—	—
Parala	—	16.0	13.0	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kotgarh	4.0	80.0	45.0	27.0	4.0	15.0	10.0	—	—	—	—	—	—	—	—	2.0	—	—	10.0
Phancho	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mashobra	—	12.2	10.2	0.6	2.4	9.4	19.2	—	—	—	—	—	—	—	—	—	3.0	27.6	—

[illegible]

PRADESH FOR THE MONTH OF MARCH, 1979

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal number of rainy days	Total rainfall for the month	Normal rainfall for the month	Excess rainfall during the month	Total rainfall from 1-3-79 to 31-3-79	Normal rainfall from 1-3-79 to 31-3-79
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
—	—	—	—	5.0	—	—	—	—	—	—	2.0	6	2.9	91.0	2.9	31.0	91.0	237.0
—	—	—	—	—	—	—	—	—	—	—	—	11	3.2	215.0	7.2	50.0	215.0	488.0
—	—	—	—	—	—	—	—	—	—	—	—	8	3.5	108.0	3.5	35.0	108.0	272.0
—	—	—	—	—	—	—	—	—	—	—	—	5	2.7	148.3	4.7	44.5	148.3	360.0
—	—	—	1.0	—	—	—	—	—	—	—	—	11	2.8	146.0	4.7	44.0	146.0	396.0
—	—	—	—	—	—	—	—	—	—	—	—	11	2.1	127.0	4.1	22.0	127.0	353.5
—	—	—	—	—	2.0	—	—	—	—	—	—	10	2.6	118.1	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	7	2.0	126.0	3.6	28.2	118.1	306.6
—	—	—	—	—	—	—	—	—	—	—	—	6	2.9	91.6	4.0	28.0	126.0	347.6
—	—	—	—	—	—	—	—	—	—	—	—	8.0	2.3	160.0	2.9	28.0	91.6	181.7
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.3	40.0	160.0	349.0
—	—	—	—	—	—	—	—	—	—	—	—	79	—	1325.0	—	—	—	1325.0
—	—	—	—	—	—	—	—	—	—	—	—	8	—	132.5	—	—	—	132.5
—	—	—	—	—	—	—	—	—	—	—	—	4	22.1	98.2	3.2	37.2	98.2	369.9
—	—	—	—	—	—	—	—	—	—	—	—	6	12.3	73.9	2.4	44.0	73.9	340.7
—	—	—	—	—	—	—	—	—	—	—	—	9	24.3	218.5	7.0	76.2	218.5	581.2
—	—	—	—	—	—	—	—	—	—	—	—	7	11.3	79.1	2.8	79.1	79.1	422.4
—	—	—	—	—	—	—	—	—	—	—	—	5	13.0	64.0	2.1	26.0	70.6	454.6
—	—	—	—	—	—	—	—	—	—	—	—	33	—	533.7	—	—	—	533.7
—	—	—	—	—	—	—	—	—	—	—	—	6	—	106.7	—	—	—	106.7
—	—	—	—	—	—	—	—	—	—	—	—	2	0.06	20.0	0.65	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	2	1/15	6.45	—	11.0	20.0	—
—	—	—	—	—	—	—	—	—	—	—	—	5	0/17	70.0	2.15	3.16	6.45	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.26	1.8	70.0	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	9	0.09	154.5	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	3	—	51.5	—	—	154.5	—
—	—	—	—	—	—	—	—	—	—	—	—	6	N.A.	85.0	—	—	51.5	—
—	—	—	—	—	—	—	—	—	—	—	—	6	—	85.0	—	28.0	85.0	—
—	—	—	—	—	—	—	—	—	—	—	—	6	—	85.0	N.A.	—	85.0	—
—	—	—	—	—	—	—	—	—	—	—	—	6	—	85.0	—	—	85.0	—

B. R. LAKHANPAL (I.A.S.),
Director of Land Records, Himachal Pradesh.

DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Bilaspur:																				
Sadar				11.3													4.3			
Ghumarwin																				
Rachmathpura																				
Bilaspur Obs.																				
Chamba:																				
Chamba				16.8	13.6										5.0	8.9	1.4		10.0	
Ludra																				
Chhatrari					22.5															
Bhandal				11.0												10.0	2.0			
Cassari				6.0	7.0									8.2	2.0					
Bathri				8.0											8.0				4.8	
Kalerop																				
Bharanour																				
Tista	0.1	1.1	0.1	1.0													2.1			
Bhanota				21.7	7.2												5.0			8.0
Kilar				16.0																
Hamirpur:																				
Hamirpur																				
Kangra:																				
Dehra				8.3																
Kangra				5.0	25.0										4.7		2.0			
Nurpur				6.0		8.0										3.0	54.2			
Palampur																				
Dharamsala																				
Kulu:																				
Kulu																				
Banjar																				
Kinnaur:																				
Nichar																				
Kaila																				
Sangla																				
Kalpa					10.2												1.5			
Purbani																				
Lahaul and Spiti:																				
Keylong																				
Kaza			4.9	4.0	1.7															
Shimla:																				
Rampur				8.2	11.9											8.0				
Rohru																				
Jubbal																				
Chopal																				
Theog																5.0				
Kumarsain																8.0	9.0			
Junga																				
Kasumpti																				
Suni				5.6	18.4												56.3	15.2		
Kotkhai	3.5	2.5		5.5																
Bashla			4.0	6.0	4.0															
Khadrala			5.0	4.0	8.0											5.8	8.0			
Shillaroo				18.0	12.0	10.5							15.0	2.0	3.0	2.0				
Parala			1.5	1.5	0.5													36.0	19.2	
Kotgarh																11.0				
Phanecha																				
Mathobra				12.0	12.8											12.4	36.4	10.5		

PRADESH FOR THE MONTH OF APRIL, 1979

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rain fall for the month	Normal rainfall for the month	Heaviest rainfall during the month	Total rainfall from 1-4-79 to 30-4-79	Normal rainfall from 1-4-79 to 30-4-79
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
---	---	---	---	---	---	---	---	---	---	---	---	2	---	15.6	---	11.3	15.6	---
---	---	---	---	---	---	---	---	---	---	---	---	2	---	15.6	---	---	15.6	---
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2.4	---	---	---	---	---	---	---	---	---	---	---	5	---	58.1	---	16.8	58.1	---
---	---	---	---	---	---	---	---	---	---	---	---	1	---	22.5	---	22.5	22.5	---
---	---	---	---	---	---	---	---	---	---	---	---	3	---	26.0	---	11.0	26.0	---
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---	---	---	---	---	---	---	---	---	---	---	---	3	---	20.0	---	8.0	20.0	---
---	---	---	---	---	---	---	---	---	---	---	---	---	---	4.4	---	2.1	4.4	---
---	---	---	---	---	---	---	---	---	---	---	---	4	---	41.9	---	21.7	41.9	---
---	---	---	---	---	---	---	---	---	---	---	---	1	---	16.0	---	16.0	16.0	---
---	---	---	---	---	---	---	---	---	---	---	---	20	---	736.1	---	---	736.1	---
---	---	---	---	---	---	---	---	---	---	---	---	2	---	92.0	---	---	92.0	---
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---	---	---	---	---	---	---	---	---	---	---	---	3	---	36.7	---	25.0	36.7	---
---	---	---	---	---	---	---	---	---	---	---	---	4	---	71.2	---	54.2	71.2	---
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2.6	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
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District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Mandi:																				
Sadar ..	—	—	10.0	—	—	—	—	—	—	—	—	—	—	—	—	9.0	16.0	—	—	—
Jogindernagar ..	—	—	25.0	7.0	—	—	—	—	—	—	—	—	—	—	—	8.0	30.0	—	—	—
Sarkaghat ..	—	25.0	—	—	—	—	10.0	—	—	—	—	5.0	—	—	—	—	—	—	—	—
Chachlot ..	—	—	15.0	7.0	—	—	—	—	—	—	—	—	—	—	5.4	9.1	—	—	—	—
Sundernagar ..	—	—	2.0	65.0	—	—	—	—	—	—	—	—	—	—	—	21.1	11.3	—	—	—
Karnog ..	—	4.0	7.0	—	—	—	—	—	—	—	—	8.0	—	20.0	38.0	—	—	—	—	—
Bhangrota ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jhungi ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kataula ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Panjain ..	—	18.0	14.0	—	—	—	—	—	—	—	—	—	—	12.0	32.0	—	—	—	—	—
Janjehli ..	—	—	20.0	—	—	—	—	—	—	—	—	—	—	5.0	18.0	23.0	—	—	—	—
Mandi Oba. ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.0	5.0	—	—	—	—
Solan:																				
Najagarh ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Arki ..	—	—	6.4	5.0	—	—	—	—	—	—	—	—	—	—	—	—	32.0	—	—	—
Solan ..	—	—	—	11.5	1.4	—	—	—	—	—	—	—	—	—	—	1.5	4.4	—	—	—
Kandaghat ..	—	—	—	0.6	—	—	—	—	—	—	—	—	—	—	—	6.4	8.4	—	—	—
Kasauli ..	—	—	10.9	10.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sirmur:																				
Nahan ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Paonta ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Renuka ..	—	—	0.2	0.1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pachhad ..	—	—	—	5.1	12.0	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bagthan ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dhauia-Kuan ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Paonta-Irrigation ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
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[illegible]

B.R. LAKHANPAL (I.A.S.),
Director of Band Records (H.P.).

PART V

HIMACHAL PRADESH FINANCIAL CORPORATION
SIMLA

NOTIFICATION

Simla-1, the 19th October, 1979

No. HPFC/7-690/75-II.—The Industrial Unit M/s Raj Stone Crusher, Chururu, Tehsil Amb, District Una, Himachal Pradesh a sole proprietorship concern of Shri Des Raj Sharma son of Shri Bansilal Sharma, having committed defaults in honouring its undertaking and commitments and repaying the loan and interest in accordance with the terms of mortgage deed dated 16-10-76 which it had executed in favour of Himachal Pradesh Financial Corporation, despite several demands and notices and further opportunity granted to it to clear the outstanding dues by the 3rd July, 1979 vide letter No. HPFC/519, dated 13-6-1979 and notification No. HPFC/7-690/75-II., dated the 25th May, 1979 published in the Himachal Rajpatra dated the 9th June, 1979 and the Veer Partap, Jullundur, dated 3-6-1979, the Himachal Pradesh Financial Corporation has taken over the possession of the said industrial unit in pursuance of the said notification with effect from 11th September, 1979 under the provisions of section 29 (1) of the State Financial Corporations Act, 1951 (Central Act No. 63 of 1951) as amended from time to time and found the following machinery and other items installed in the unit:—

A. Land:

(i) measuring 2 Kanals 11 Marlas out of 5 Kanals, 1 Marla comprised in Khewat No. 6 min, Khatauni No. 33 min and Khasra No. 8/16/2 and

(ii) 2 Kanals 10 Marlas comprised in Khewat No. 6 min, Khatauni No. 33 min and Khasra No. 8/17/1 per Jamabandi of 1973-74, situated at Village Chururu, Tehsil Amb, District Una (Himachal Pradesh).

B. Building:

- (a) Motor Room 10'x7'
- (b) Office Block 12'x24'
- (c) Room 10'x7'
- (d) Dug.

C. Machinery:

- 1. 16'x9' Crusher.
- 2. Rotary screen 12 ft. long 30" dia with shaft.
- 3. Screen supporting structure of I beams, channels and angles approximately 10' to 12' height from ground.
- 4. Discharge bunker under rotary screen made from 3 mm thick M.S. plate.
- 5. Main conveyor 20/22" belt made from M.S. Channel and angles, stand with drum pulley driving stand 35 ft. length.
- 6. Return conveyor 18" belt made from M.S. Channel and angles stand with drum pulley, 45 ft. long reclaimed tyre rubber belt.

- 7. Stacker conveyor 16" belt made from M.S. Channel and angles, stand with drum pulley, drive stand, with 30 ft. long reclaimed tyre-rubber belt.
- 8. Conveyor 16" belt made from M.S. Channel and angles, stand with eight pulleys and two drums from dug to crusher.
- 9. Electric Motors: Manufacturers M/s Sagga Windel Engineers (P) Ltd, Ahmedabad-23:
 - (a) 20 HP One No.
 - (b) 5 HP One No.
 - (c) 3 HP Two Nos.
 - (d) 2 HP Four Nos.
- 10. Electrical Accessories:
 - (a) Lica three phase control switch, 100 Amp. 650 Vs.
 - (b) Lica three phase control switch, 60 Amp. 650 Vs.
 - (c) One Amp. Meter.
 - (d) One Voltage Meter.
 - (e) Supreme Star Delta Starter 20 HP 3 Amp. Volt-350/400 Pat No. 108976.
 - (f) Sputnik switch 16-A-415 V-7 Nos.
 - (g) Benfax starter-Seven Nos.
 - (h) V. Belts-40 Nos. and two Nos. Conveyor belts.

Sd/-

Managing Director.
H. P. Financial Corporation
Simla-1

Phones PP-34 Jassur 118, 1035 Grams 'Shivalik
SHIVALIK CHIT FUND & MACHINE TOOLS
(PVT.) LTD.

Main Bazar, Jassua (H.P.) B.O.:—G.T. Road, Bātala
Ref No. Dated 23-10-1979

COMPANY NOTICE

Notice is hereby given to all the Shareholders and Creditors (Chit Holders of various Lucky Groups and Trade creditors) of Shivalik Chit Fund and Machine Tools (Pvt.) Ltd., Main Bazar, Jassur Himachal Pradesh) and Branch Office, G.T. Road, Bātala that their General Meeting will be held on December, 12, 1979 at 2.30 P.M. and 5 P.M. respectively at the Registered Office, Main Bazar, Jassur (H.P.) to conduct the following Agenda:—

- 1. To consider the winding up of the company.
- 2. To appoint the voluntary Liquidator.
- 3. Any other business with the permission of the Chair.

Place: Jassur.
Date: 22-10-1979.

for and on behalf of Board
of Director.
Todarmal
Chairman.